



Sioux Falls Regional Airport

Minimum Standards for the Conduct of
Aeronautical Activities at
- Joe Foss Field -
Sioux Falls, South Dakota

**As Adopted
August 22, 2024**



Minimum Standards for Operators of Aeronautical Activities

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Sioux Falls Regional Airport Minimum Standards for Operations of Aeronautical Activities

Introduction

Under State of South Dakota Title 50-6 & 50-7, the Sioux Falls Regional Airport Authority (the Authority) is charged with the safe and efficient operation of Joe Foss Field (the Airport). The Authority may prohibit or limit any given type, kind or class of use if such action is necessary for safe operations or to serve the civil aviation needs of the public. The requirements imposed on those proposing to conduct an aeronautical activity at the airport relate primarily to the public interest. These minimum standards are designed to protect airport patrons from irresponsible, unsafe, or inadequate service. The cost of meeting reasonable standards must be accepted as a normal business expense. Minimum Standards serve the objective of promoting safety in all airport activities, maintaining a higher quality of service for airport users, protecting airport users from unlicensed and unauthorized products and services, enhancing the availability of adequate services for all airport users, and promoting the orderly development of airport land. The fairness and reasonableness of standards normally is judged against the background of general practices which have found acceptance at airports of comparable size and situation.

In support of these requirements:

The Sioux Falls Regional Airport Authority can make reasonable adjustments to Minimum Standards from time to time following a public hearing at publicized Authority Board Meetings.

Minimum Standards must be reasonable and free of unjust discrimination to all on-airport business operators and those who use the airport, as well as reasonable to each individual operator by the nature of the activity type and environment that the Minimum Standards concern.

The Sioux Falls Regional Airport Authority will abide by all applicable federal regulations when applying these minimum standards and will apply these minimum standards uniformly and without unjust discrimination.

If any portion of these minimum standards are determined in conflict with Federal, State or Local laws, rules or regulations, the remaining sections shall not be affected by such determination and shall remain in full force and effect.



I. General Provisions

A. DEFINITIONS

The terms in these Minimum Standards shall have the following meaning:

Aeronautical Activity: Any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations, and shall include, but not be limited to, all activities commonly conducted at airports, such as charter operations, pilot training, flight training, aircraft rental, sightseeing, aerial photography, surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products (whether or not conducted in conjunction with other included activities), repair and maintenance of aircraft, sale of aircraft parts, sale and maintenance of aircraft accessories, radio, communication and navigation equipment, flying clubs and other co-op arrangements, aircraft or crew management and any other activity which, because of its direct relationship to the operation of aircraft, can appropriately be regarded as a "Aeronautical Activity." An activity is considered a commercial aeronautical activity if it conducts any aspect of a business, concession, operation, or agency providing goods or services to any person for compensation or hire, including exchange of services, whether or not such objectives are accomplished, and regardless of whether the business is nonprofit, charitable, or tax-exempt. Aeronautical Activities conducted by a governmental entity shall be deemed noncommercial.

Aircraft: An aircraft is a vehicle which is able to fly by being supported by the air.

Aircraft Maintenance and Repair: Providing one or a combination of airframe, power plant and accessory repair services on Aircraft up to and including business jet Aircraft, helicopters, and blimps. This category shall also include the non-exclusive sale of Aircraft parts and accessories.

Aircraft Sales Operator: An aircraft sales operator is a commercial operator engaged in the sale of three (3) or more new and/or used aircraft during a 12-month period.

Airport: Sioux Falls Regional Airport – Joe Foss Field



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Airport Master Plan: Document charting the proposed evolution of the Airport to meet future needs, as approved by the Authority and as amended from time to time.

Airport Operations Area (AOA): An area used or intended to be used for landing, takeoff, or surface maneuvering of aircraft including all Airport lands adjacent thereto and enclosed by the perimeter security fence.

Agreement: A written contract, lease, license, use, permit, or other form of authorization, executed by Authority and Operator, whereby Authority authorizes an Operator to conduct a specific activity on the Airport.

Authority: The Sioux Falls Regional Airport Authority, created under Title 50 of the State of South Dakota Codified laws.

Standard Business Hours: Monday through Friday, 8:00am to 5:00 pm excluding holidays.

CO-OP Fueling/Services: Fueling or otherwise servicing multiple aircraft owned by different entities based in the same hangar or premises. Co-Op fueling is not recognized as self-fueling by the FAA and shall not be allowed at Airport. To be afforded self-fueling rights, all aircraft must demonstrate the same ownership structure as the hangar/ground lease.

Commercial Hangar Operator: A commercial operator that develops hangar facilities for the purpose of furnishing aircraft storage hangar facilities to the public. This does not include private hangar operators that sublease space for aircraft in addition to their personal aircraft.

Commercial Operator: An approved operator that provides services and/ or facilities for the benefit of the public, regardless of profit.

Fixed Base Operator (FBO): For the purposes of the Airport's Minimum Standards, an FBO is defined as an Operator having a lease with and conducting a business or commercial activity at the Airport for the purpose of providing multiple aeronautical services such as fueling, hangaring, tie-down, and parking, aircraft rental, aircraft maintenance, and flight instruction.



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Flight Training: Any Person engaged in instructing pilots and solo flight training, in fixed or rotary wing Aircraft, and who provides such related ground school instruction as is required before taking a written examination and flight check ride for the category or categories of pilot's licenses and ratings involved.

Flying Clubs: Any organization or group that is a nonprofit entity organized for the express purpose of providing its members with an Aircraft or several Aircraft for their personal use and enjoyment only.

Minimum Standards: The qualifications or criteria which may be established by the Airport owner as the minimum requirements that must be met by an Operator engaged in on-airport aeronautical activities in exchange for the right to conduct those activities. These standards may be amended and revised by the Airport at any time.

Non-Signatory Carrier: Any other air carrier, including FAR Part 121 carriers not committed to service to the Airport as a Signatory Carrier or using the Airport on a random basis, such as a charter operator.

On Demand Aircraft Charter: Any Person engaged in the business of air transportation (persons or property) to the general public for hire, on demand, on an unscheduled basis under FAR Part 135.

Operator: Any individual, firm, partnership, corporation, person, operator, association or company and includes any trustee, receiver, assignee or similar representative.

Private Hangar Owners: A Tenant permitted by its Agreement to construct and maintain its own hangar on its own leasehold premises for the storage-of its own Aircraft which is not used for commercial aeronautical activities at the Airport. Ownership of the leasehold, hangar and Aircraft are identical, or the owners are related. The hangar owner and Aircraft owner are deemed to be "related" to the Tenant if the owner of the hangar and Aircraft have, directly or indirectly, a major equity ownership in the Tenant entity. An Aircraft under lease by the Tenant from a third party for use by the Tenant for a minimum of twelve (12) months is deemed "owned" by the Tenant. Subject to compliance with these minimum standards, fueling and



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service of the aircraft stored on the leasehold premises is also permitted but only if it is provided by the Tenant or by a party related to the Tenant, i.e., no Co-Op fueling and servicing is permitted.

Self-Fueling: The fueling or servicing of an aircraft (i.e., changing the oil, washing) by the owner of the aircraft with his or her own employees and using his or her own equipment. Self-fueling and other self-services cannot be contracted out to another party. In addition to self-fueling, other self-service activities that can be performed by the aircraft owner with his or her own employees includes activities such as maintaining, repairing, cleaning, and otherwise providing service to an aircraft, provided the service is performed by the aircraft owner or his/her employees with resources supplied by the aircraft owner.

Self-Service Fueling: The provision or use of a self-service pump to provide direct into plane fuel either by the service operator or individually by the aircraft operator. This operation is a commercial activity and is not considered self-fueling as defined here.

Self-Service Fueling Pump: A fueling facility that is able to be operated by the user/customer, not exclusively by an attendant. If the pump is made available to any aircraft not also owned by the self-service pump owner, it becomes a commercial aeronautical activity and does not constitute self-fueling.

Signatory Carrier: A passenger or cargo carrier operating under FAR Part 121, which has entered into a lease commitment with the Airport to utilize and support the Airport terminal facilities and provides regular scheduled services to the Airport.

Specialized Aviation Service Operator (SASO): An aeronautical business that offers a single or limited combination of services as identified in the SASO Operations section of these standards. A SASO is not authorized for and may not conduct commercial fueling.

Spill Prevention, Control, and Countermeasures (SPCC): A document that identifies the plans, procedures, equipment, and personnel in place to reduce the likelihood of or the impact of a petroleum or hazardous spill.



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Transient Ramp: Non-exclusive aircraft parking areas provided by the Airport through Authority, Federal, State, or other public funding for the operation and parking of aircraft using the Airport. The Airport may designate areas of the Transient Ramp for preferential use consistent with an Operator’s aeronautical use of the Airport.

Unauthorized Through the Fence Operation: Any commercial aeronautical activity that is or would be conducted on airport property, whether inside the defined AOA or otherwise, that has not received approval from the Authority and does not have a current operating agreement in place with the Authority.

B. NON-DISCRIMINATION

1. A fair and reasonable opportunity, without discrimination, shall be afforded all applicants to qualify, or otherwise compete, for available Airport facilities, or to engage in selected commercial activities, subject to the Minimum Standards and requirements as may be established and amended from time to time by the Authority.
2. The Authority, through its Minimum Standards, attempts to maintain a “level playing field” on which all aeronautical operators of similar classification or aeronautical activity are to conduct business on a fair and equal basis for the benefit of the public. In developing these Minimum Standards, the Authority intends neither to block competition between service providers nor to protect any existing or incumbent provider from competition.
3. Commercial Operators on the Airport are required to (1) furnish services on a fair, equal, and not unjustly discriminatory basis to all customers, and (2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service, provided that the Operator is allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
4. No commercial operators shall exclude from employment, in participation, access to, benefits of its operations or otherwise discriminate against persons on the ground of race, color, national origin, handicap, age, sex, or veteran status. Commercial Operators shall be responsible for compliance with any applicable local, State and Federal rule, regulation, ordinance, or law regarding nondiscrimination including the Airport’s Title VI program.



C. MINIMUM STANDARDS DEVELOPMENT

1. These Minimum Standards for Aeronautical Services incorporate, by reference, FAA Advisory Circular No. 150/5190-8, Minimum Standards for Commercial Aeronautical Activities on Public Airports (2023), and the Sioux Falls Regional Airport Authority’s rules and regulations, as may be adopted or amended.
2. The Authority does not certify that the required minimum land, and building areas, personnel or equipment levels are adequate for the successful operations of the commercial activities described. Additional land and building space, personnel and equipment exceeding the minimums, may be necessary for the operator to ensure that services are effectively provided to meet the needs of the public.
3. All Aeronautical services and use of the Sioux Falls Regional Airport shall be conducted in strict compliance with Federal regulations and State and local laws.

D. DEVELOPMENT OF QUALITY SERVICES

1. It is the Authority’s intent to ensure that the Airport, through its authorized commercial operators, provides a full range of quality services to the aviation public. To accomplish this objective, the Authority has established an aeronautical services development process. The development process is founded on the principle that experienced; well-capitalized operators have the greatest chance of successfully providing these quality services. The process also provides opportunities for interested parties, with limited experience, to establish aviation service businesses, to gain the necessary experience, and to grow into FBO service levels of greater responsibility to the public.

E. EXCLUSIVE RIGHTS

1. No private aeronautical service provider will be granted an exclusive right to solely provide any aeronautical service at the airport.
2. Any interested party meeting the Minimum Standards may qualify for authorization to begin business.
3. In the absence of a qualified Fixed Base Operator, as detailed under these standards, the Authority reserves the right to provide retail fuel sales, and any other aeronautical service absent an authorized commercial service provider, as an “exclusive right” unto itself. Once such an aeronautical service is declared an “exclusive right” of the Authority, the service can



no longer be considered a service that can be offered by private commercial operators at the airport.

F. DEVELOPMENT OF ADDITIONAL MINIMUM STANDARDS

1. Authorized aeronautical services are not limited to those listed in these minimum standards. In the event a prospective operator desires to conduct an aeronautical activity not listed in these standards, the minimum standards for that activity may be identified as part of the application process. Further, the Authority may, at any time, identify additional activities to be subject to minimum standards. In developing new minimum standards for aeronautical services, the following guidelines are to be considered:
2. The minimum hangar space, office space, land, equipment, personnel, operating hours, and other standards required of an aeronautical services operator shall be those appropriate for the services provided and shall be sufficient to facilitate good customer service.
3. The Authority is not obligated to provide or construct public ramp/apron or connecting taxiways for any operator. Further, the Authority's ability to construct such ramp/apron or taxiway facilities is limited to the availability of funds, which may be dedicated to higher priority projects at the airport. Thus, the prospective operator should expect to fund all facility needs (building, parking lots, ramps/aprons, connecting taxiways) as a part of the total plan.

G. REQUESTS TO CONDUCT AERONAUTICAL ACTIVITIES

1. The prospective Operator shall submit, in written form, to the Executive Director, a detailed description of the intended activity(s), and the means and methods to be employed to accomplish the applicable operating standards and requirements, in order to provide high quality service to aviation and the general public in the Sioux Falls area, including the following:
 - a. Name and address of Applicant.
 - b. Name and address of classes of membership, if applicable.
 - c. Tax identification number.
 - d. Copy of IRS Non-Profit determination letter, if applicable.
 - e. The use or services to be offered.
 - f. Proposed date of commencement of activity.
 - g. Proposed term of activity.
 - h. The amount of land to be leased or subleased.



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- i. The building space to be constructed leased or subleased.
- j. The number of aircraft (or vehicles) to be provided, if applicable.
- k. The number of qualified and/or certified employees.
- l. The names and qualifications of personnel involved in conducting the activity.
- m. Copies of licenses or certificates held by the personnel conducting a regulated activity.
- n. The hours of proposed operation.
- o. Evidence of required minimum insurance coverage as established by the Authority.
- p. Evidence of operator's financial capability to perform the proposed services and provide and maintain the required facilities.
- q. Evidence of the operator's level of competency and experience in successfully performing the proposed service.
- r. Listing of equipment types, parts, supplies, inventories that will be in inventory to support the activity.
- s. Specification of proposed improvements including exterior signage and costs.
- t. Method of financing improvements or acquisitions of facilities.

H. WRITTEN AGREEMENT

1. With the approval of the application by the Executive Director, prior to the commencement of Commercial Operations, the prospective operator will be required to enter into a written agreement with the Authority.
2. The agreement will detail the terms and conditions under which the operator will conduct his business on the Airport, including, but not limited to:
 - a. The terms of agreement; the rentals, fees, and charges; the rights, privileges and obligations of the respective parties; and other relevant covenants including these minimum standards by reference.
 - b. The conditions contained in the schedule of Minimum Standards and Requirements do not represent a complete listing of the provisions to be included in the written agreement. Agreement provisions, however, will not change, modify, or be inconsistent with, the Minimum Standards and Requirements.
 - c. In event of a conflict between the Agreement and these Minimum Standards, the Agreement shall prevail when approved by the Authority.



I. SITE DEVELOPMENT STANDARDS

1. The minimum space requirements provided may be satisfied by the lease, construction or sublease of a single abutting, or separate parcels having one (1) building, attached buildings, or separate buildings.
2. The use of mobile home type buildings, or T-Hangar space, to satisfy space requirements is prohibited.
3. For new construction, a minimum setback from apron edges shall comply with wingtip clearance standards but in no case will be less than 55 feet. Setback from taxilanes will meet design standards for the existing or ultimate taxilane, whichever is greater.
4. For new construction or expansion, minimum setback from property lines with existing or planned adjacent buildings shall be 25 feet. When both buildings meet appropriate fire code ratings, the setback may be reduced to 12.5 feet.
5. Parking:
 - a. For new construction, on street parking is not allowed on through streets. This includes parking lots with parking stalls directly accessed from the adjacent roadway.
 - b. No person shall park any vehicle or equipment on airport property in any area not specifically designated by the Authority for such parking nor in any manner not prescribed or approved by the Director.
 - c. Parking in private leased areas shall be allowed only where designated and shall not create a penetration to taxilane Object Free Areas.
 - d. Parking in T-hangar areas shall be inside the hangar when aircraft are in use or in designated areas.
 - e. Vehicles for pickup or drop-off of passengers on transient aprons may be parked within the designated aircraft parking areas for no more than one hour.
 - f. Parking on taxiways or taxilanes is prohibited at all times.
 - g. On-street parking is allowed only in designated locations.
 - h. Customer and employee parking shall meet the minimum of the greater of the stall count identified for each service type in these minimum standards or for:
 - i) SASOs- one stall for each 300 square feet of office space (rounded up), and one stall for each 2000 square feet of hangar.
 - ii) FBOs- one stall for each 200 square feet of office space (rounded up), and one stall for each 900 square feet of hangar.



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6. Non-commercial activities will not be allowed adjacent to transient aprons.
7. For construction of any new facilities not already contained on the Airport, the operator shall be subject to the standards of development contained in the Airport Master Plan for the Sioux Falls Regional Airport as well as all applicable Federal, State, and local laws, ordinances, and codes.
8. No building, whether existing or newly constructed, may be used for maintenance activities or other operations that exceed the fire and/ or building code design standards for which the building was constructed.
9. For Operators conducting more than one aeronautical service, the space requirements contained herein may be served from the one location but in no case shall the space be less than the largest prescribed for each service.
10. No person shall construct or make any alterations of any nature whatsoever to any buildings, aprons, or other airport space, without written authorization from the Authority. Nor shall any building or other structure be erected without prior submission of a written request, including detailed plans and specifications, and the receipt of written permission from the Authority. Prospective operators shall comply with all building codes of the City of Sioux Falls and shall deliver to the Executive Director “as built” plans upon completion. Proposed new or altered exterior signage or lighting will be presented graphically to the Director for review and written approval prior to implementation.
11. Further, a notice of alterations or construction must be submitted to the Federal Aviation Administration by the prospective operator, FAA Form 7460-1 (Notice of Proposed Construction and/or Alteration) and receive a favorable determination, prior to commencement of any construction. Form 7460-2 must be submitted to the FAA upon completion of construction of any new or altered facility.

J. PERSONNEL

1. The prospective operator shall have in his employ, and on duty during the required operating hours, such numbers and types of trained personnel with, as applicable, proper FAA credentials, certificates, and ratings as applicable to provide adequate and efficient services.
2. Operator must demonstrate that procedures have been established to assure that all persons employed, or to be employed and who have unescorted access to any area on the restricted areas of the Airport, have background checks to the extent required by law, or



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regulation including, as applicable, TSA threat assessments or fingerprint-based records checks.

3. Operator's employees shall be neat, clean, and courteous. Operator shall not permit its agents, contractors, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business outside the space assigned as stated in lease or operating agreement.

K. EXPERIENCE

1. The prospective Operator, and/or the Operator's key management personnel assigned to the airport, must demonstrate the ability to meet the minimum experience required for the specific business classification being proposed including:
 - a. FBO Operators must demonstrate previous experience in the successful operation of an FBO at an airport.
 - i) Except as may otherwise be approved by the Executive Director, in his or her sole discretion based on the prior experience of the Operator's personnel, an Operator proposing to engage in commercial fueling shall have a principal owner or senior manager with a minimum of 2 years experience in fueling air carrier aircraft.
 - ii) The prospective Operator shall provide a reference (including name, title, address, phone number, and email address) of airport managers or directors who oversee facilities where the prospective Operator has provided similar relevant services, as well as current resumes of its key employees to be engaged in the management and operation of the proposed aeronautical services at the Airport.
 - b. SASO Operators must demonstrate enough experience or training in the specific service classification being proposed to substantiate the business plan as presented in the application.

L. CAPITAL IMPROVEMENT/EQUIPMENT FUNDING

1. The Operator must demonstrate that it has, or is able to secure, the necessary level of capital for the purpose of constructing new facilities or remodeling existing leased facilities, and acquiring equipment, supplies, materials and aircraft, as may be necessary to service existing and future business demands.

M. OPERATING CAPITAL



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1. The prospective Operator must demonstrate that it has the necessary available operating capital to enable it to hire the necessary personnel, pay airport rents and operating expenses and generally cover all other business operating expenses for the initial 12 months of start up to opening the business.
2. The operator must also demonstrate that the proposed business is projected to generate the level of revenue to sustain business operations past the initial 12 months. This will include, at a minimum, financial statements or business plans certified by an officer of the applicant/tenant as to its correctness, licenses, permits, and/ or certificates required by law as applicable.

N. GROUNDS FOR DENIAL OF APPLICATION

1. The Authority may deny an application for any one (or more) of the following reasons:
 - a. The applicant for any reason does not meet fully the qualifications, standards and requirements established herein. The burden of proof of compliance shall be on the prospective operator and the standard of proof shall be by clear and convincing evidence.
 - b. The applicant's proposed activities, operation and/or construction will create a safety hazard as determined by the Authority or the FAA.
 - c. The granting of the application will require the Authority to expend funds or supply labor or materials in connection with the proposed activities, operation, and/or construction that the Authority is unwilling or unable to spend or the operation will result in a financial loss to the Authority.
 - d. No appropriate, adequate, or available space or building exists at the Airport which would accommodate the entire operation of the applicant at the time of application, nor is development of such space contemplated within a reasonable time thereafter.
 - e. The proposed operation, development or construction does not comply with the Master Plan of the Airport (and/or ALP) then in effect or anticipated to be in effect within the time frame proposed by the applicant.
 - f. The development or use of the area requested by the applicant will result in a congestion of aircraft or buildings or will unduly interfere with operations or activities of any present operator at the Airport or prevent adequate access to their assigned area.
 - g. The applicant has either intentionally or unintentionally misrepresented or omitted a material fact in the application or in supporting documents.



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- h. The applicant has failed to make full disclosure on the application or in supporting documents.
- i. The applicant or an officer, director, agent, representative, shareholder, or employee of applicant has a record of violating any of these Minimum Standards, or the minimum standards or regulations of any other airport, or any other laws.
- j. The applicant or a principle of applicant has defaulted in the performance of any lease or other agreement.
- k. On the basis of current financial information, the applicant does not, in the sole discretion of the Authority, exhibit adequate financial responsibility or capability to undertake the proposed operation and activities.
- l. The applicant cannot provide applicable insurance in the amounts and types required by the Authority for the proposed operation and activities.
- m. The applicant's activities or operations have been or could be detrimental to the Airport or violate Federal regulations.
- n. The applicant or any principle of the applicant has been convicted of any felony, or violated any County or Authority ordinance, or applicable law.
- o. The applicant or any principle of the applicant is unable to qualify for unescorted access to the security areas as required by TSA regulations. These include Federal background checks.

O. APPLICATION HEARING

- 1. Once a written Application is executed and submitted to the Director, the Director will determine based upon these standards, Airport rules and regulations, Federal and State rules, guidelines, and laws, as to whether or not a hearing is required.
 - a. No hearing required. If the sought aeronautical activity does not require a hearing, the Director will draft and execute the proper Agreement authorizing Applicant to perform the sought aeronautical activity in accordance with these minimum standards.
 - b. Hearing required. If it is determined that the sought aeronautical activity requires a hearing, the hearing is governed as follows:
 - i) Application and Agreement will be placed on the agenda of a future scheduled board meeting of the Authority. An Agreement agreeable to both parties must be drafted before an applicant can be placed on the meeting agenda.



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- ii) All persons currently providing aeronautical activities as those sought by the Applicant will be notified of the application and advised of the date, time and place of the scheduled board meeting where the application will be considered.
- iii) The Authority will determine whether the Applicant meets the minimum standards and qualifications as established, and whether the Agreement should be approved, modified, or rejected.

P. CONTINUING OBLIGATIONS

1. Promptly notify the Director, in writing, of any changes in the information provided on the Application and/ or agreement.
2. Abide and comply with all Federal, State, and local laws, ordinances, regulations, and the rules and regulations of the Authority and notify the Director in writing immediately upon the discovery by the Operator of any non-compliance.
3. Maintain all leased areas, grounds, equipment, and other resources.
4. Each Operator shall be responsible for the removal of snow and ice from all its leased areas and shall keep its leased areas free and clear of all weeds, rocks, debris, and other material which could cause damage to aircraft, buildings, persons or automobiles.
5. The Airport may, at the request of the operator in the agreement and at the discretion of the Director, assist the Operator in snow and ice removal, provided such operator shall assume the liability of the Airport's actions in this regard and shall indemnify and hold the Airport, its officers, agents, and employees harmless from all liability in connection with all things done pursuant hereto.

Q. AIRPORT SECURITY

1. **Security Regulations**
 - a. The Operator, its employees, agents, contractors, and guests, shall comply with the relevant sections of the Airport Security Program (ASP), Airport Rules and Regulations and abide by all instructions provided by Airport Security and the Airport Security Coordinator.
 - b. Institute and carry out all security measures as provided in the ASP, 14 CFR Part 139 and 49 CFR Parts 1540 & 1542, as may be amended from time to time.



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2. **Security Identification**

- a. Assign an Authorized Signatory to certify applicants and their information, track and return Airport issued identification, and complete audits as required.
- b. Ensure everyone that may have unescorted access to Operator's facilities applies for and receives an Airport issued ID or is denied unescorted access.
- c. Ensure everyone that has unescorted access successfully completes the training provided by the Airport prior to gaining access to restricted areas of the Airport (AOA, Sterile, SIDA and Secured areas).
- d. Ensure anyone applying for an Airport issued ID is briefed on the requirements for the ID, including background checks, valid personal identification, requirement to return ID when no longer needed, requirement to submit to inspection and any Operator policies or penalties for non-compliance.
- e. If Operator's premise is located in a SIDA area accessible only to those persons displaying a SIDA badge issued by the Airport, Operator will ensure each person present on the premises displays the badge appropriately at all times while in the SIDA or, if not authorized unescorted access, is under escort.
- f. The cost to obtain each badge, including its replacement, will be paid for by the Operator.

3. **Security Operations**

- a. The Operator shall control their Premises so as to prevent unauthorized access to the AOA and/or SIDA.
- b. Access control shall be maintained through means as determined by the Authority at all times.
- c. Access points through the Operators leased areas into the AOA, SIDA or Sterile areas must be marked with signage in accordance with Airport standards as identified in the ASP.
- d. The cost of the access control system installation and maintenance of all equipment will be borne by the Operator.
- e. Operator shall submit a construction security plan for any construction activity occurring inside the AOA or affecting Airport security. The plan must be submitted in writing at least 60 days before the proposed activity and be approved by the Airport and TSA before beginning construction activity.



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- f. Operator, its employees, agents, and contractors will comply with 49CFR 1540.105(a) and report any security related incident or suspicious activity to Airport Security immediately.

R. ENVIRONMENTAL COMPLIANCE

1. Compliance

- a. In its operations at the Airport, Operator shall strictly comply with all applicable environmental laws, the airport environmental policies and procedures, including without limitation the Storm Water Pollution Prevention Plan (SWPPP), and generally accepted industry environmental best management practices and standards.
- b. Without limiting the generality of the foregoing provision, Operator shall not use or store Hazardous Materials on or at the Airport except as reasonably necessary in the ordinary course of Operator's permitted activities at the Airport, and then only if such Hazardous Materials are properly labeled and contained.
- c. Operator shall not discharge, release, or dispose of any Hazardous Materials on the Airport or surrounding air, land, or water. Operator shall promptly notify the Director and Emergency 911 of any Hazardous Material spills, releases, or other discharges by Operator at the Airport and promptly abate, remediate, and remove same.
- d. Operator shall provide the Authority with copies of all reports, complaints, claims, citations, demands, inquiries, or notices relating to the environmental condition of the Airport, or any alleged material noncompliance with Environmental laws by Operator at the Airport within ten (10) days after such documents are generated by or received by Operator.
- e. If Operator uses, handles, treats or stores Hazardous Materials at the Airport:
 - i) Operator shall identify in its application a contractor and retain spill response contractors to assist with spill response and facilitate waste characterization, transport and disposal.
 - ii) Complete records of all disposal manifests, receipts and other documentation shall be retained by the Operator and made available to the director for review upon request.
 - iii) Operator shall maintain Environmental insurance, as specified within these minimum standards, and as identified in the Agreement.



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- f. The Airport shall have the right at any time to enter the premises to inspect, take samples for testing, and otherwise investigate the premises for the presence of hazardous materials. Such inspections shall be scheduled during regular business hours if possible. Such schedules will be coordinated with the Operator.

2. **Responsibility**

- a. Operator's Hazardous Materials shall be the responsibility of Operator.
- b. Operator shall be liable for and responsible to pay all Environmental Claims that arise out of, or are caused in whole or in part, from Operator's use, handling, treatment, storage, disposal, discharge, or transportation of Hazardous Materials on or at the Airport, the violation of any Environmental Law by Operator, or the failure of Operator to comply with the terms, conditions and covenants of this article.
- c. If the Airport incurs any costs or expenses (including attorney, consultant and expert witness fees) arising from Operator's use, handling, treatment, storage, discharge, disposal, or transportation of Hazardous Materials on the Airport, Operator shall promptly reimburse the Airport for such costs upon demand.
- d. All reporting requirements under City, State, Federal or other environmental laws with respect to storage, spills, releases, or discharges of Hazardous Materials by Operator at the Airport under any law are the responsibility of Operator.
- e. Testing of storage facilities for leaks and other hazards, as required by City, State, Federal or other agencies, shall be conducted accordingly by the Operator.

S. **INDEMNITY AND INSURANCE**

1. **Indemnification**

- a. The prospective operator must agree to indemnify, save, hold harmless, and defend the Authority, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all reasonable expenses incidental to the investigation and defense thereof, in any way arising out of or resulting from any acts, omissions or negligence of the Operator, its agents, employees, licensees, successors, and assigns, or those under its control; in, on or about leased premises or upon leased premises; or in connection with its use and occupancy of leased premises or use of airport; provided, however, that the Operator shall not be



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liable for any injury, damage, or loss occasioned by the negligence or willful misconduct of the Authority, its agents or employees.

- b. The Operator must also agree to indemnify, save, hold harmless, and defend the Authority, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all expenses incidental to the investigation and defense thereof, in any way arising from or based upon the violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Operators agents, employees, licensees, successors and assigns, or those under its control. The Operator shall not be liable for any claims and actions and expenses incidental to the investigation and defense thereof, in any way arising from or based upon violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Authority, its agents, employees, licensees, successors and assigns, or those under its control.

2. **Minimum Insurance Requirements**

- a. Without limiting the Operator's obligation to indemnify the Authority, the Operator shall provide, pay for, and maintain in force at all times during the term of the Agreement and/ or operation a policy of:
 - i) Comprehensive general liability insurance to protect against bodily injury liability and property damage in an aggregate amount of not less than the amount identified on *Appendix A*.
 - ii) Comprehensive automobile liability insurance in a combined single limit of not less than the amount identified on *Appendix A*.
 - iii) Statutory Workman's Compensation insurance in compliance with the laws of South Dakota.
 - iv) Hangar keepers Insurance for Operators identified on *Appendix A*.
 - v) Environmental/ fuel spill Insurance as identified on *Appendix A* for refueling vehicle operators.
- b. The required insurance shall be reviewed from time to time by the Authority and may be adjusted by the Airport if the Authority reasonably determines such adjustments are necessary to protect the Authority's interests. The Operator shall furnish the Authority, as evidence that such insurance is in force, a certified copy of the insurance certificate including the Authority as additional insured within 30 days after the policy is issued



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and annually thereafter. Said policies shall be in a form and content satisfactory to the Authority and shall provide thirty (30) days written notice to the Authority prior to the cancellation of or any material change in such policies.

- c. All insurance coverage shall be provided by carriers rated A or better with AM Best. Operator shall authorize the Authority to request a written statement from the carrier as to coverage provided and any impairments to the aggregate limit. The operator shall request the carrier to provide the documents directly to the Authority, if necessary.
- d. The acceptance or delivery of any certificate of insurance coverages and limits does not constitute approval or agreement by the Authority that insurance requirements herein have been met or that insurance policies shown in certificates of insurance are in compliance with the requirements herein.
- e. Insurance coverage and limits required herein are designed to meet uniform requirements of the Authority. They are not designed as a recommended insurance program for the Operator. Operator alone shall be responsible for the sufficiency of the insurance program.
- f. The Operator shall meet the minimum dollar requirements listed in Attachment A or coverage equal to the replacement value of the covered facilities, equipment, and aircraft, whichever is greater.
- g. In the event the Authority determines that the insurance limits herein are inadequate, the Authority may modify said limits. If the insurance limits are modified, Operator has thirty (30) days after receipt of written notice from the Authority to modify its insurance limits.

3. **Minimum Environmental Insurance Requirements**

- a. If Operator uses, handles, treats, or stores Hazardous Materials at the Airport in volumes greater than 100 gallons of new material or more than 200 gallons of waste materials in any one container, Operator shall maintain at all times Pollution Legal Liability and Remediation and/or Errors & Omissions Coverage. The policy shall be applicable to all personnel, operations equipment, leasehold areas, and the areas of the Airport that the Operator conducts operations.
- b. The Airport, its officers, directors, and employees shall be listed as additional insured.
- c. This policy shall include coverage for:



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- i) Cost and expenses of cleanup, removal, remediation, assessment, transportation, testing, investigation, and disposal of Hazardous Materials as directed by any government agency, court order, or Environmental Law
 - ii) Bodily injury, or death
 - iii) Damage to or loss of use of property of any person
 - iv) Injury to natural resources
 - v) Fines, costs, fees, assessments, taxes, demands orders, directives or any other requirements imposed in any manner by any governmental agency under Environmental Laws
- d. Fuel and other hazardous materials contained within operationally necessary components of airworthy aircraft (i.e. aircraft fuel tanks) are exempt from the requirement to maintain environmental insurance coverage.



II. Minimum Standards for Specialized Aviation Service Operators “SASO”

A. GENERAL PROVISIONS

1. A person or organization meeting the appropriate minimum standards contained herein may apply to the Authority for permission to operate as a Specialized Aviation Service Operator.
2. SASO operators are prohibited from retail sales of fuel or petroleum products and from providing aviation line services. Fuel/petroleum retail sales and line services are privileges reserved for Fixed Based Operators (FBO).
3. A SASO may conduct business “under the umbrella of” an FBO. When supporting “under the umbrella” activities, the FBO must meet the minimum standards associated with that additional aviation service.
4. A SASO must have a direct lease with the Airport or be an Authority approved sub-lessee of an airport tenant.
5. A SASO may provide more than one of the listed services but not more than three. Services not identified within these minimum standards may also be provided with written approval of the Director.
6. If performing more than one of the defined aeronautical activities, the insurance coverage shall not be less than the highest coverage level required for any of the individual aeronautical activities proposed to be conducted.
7. If performing more than one of the defined aeronautical activities:
 - a. The space requirements shall not be less than the largest space required for any of the aeronautical activities proposed to be conducted plus a reasonable increase subject to negotiation and approval by the Director.
 - b. Flight training, aircraft rental and aircraft sales may be combined and counted as one aeronautical service under this standard, with the space requirements as negotiated and approved by the Director.
8. SASO operations will be limited to the designated lease boundaries unless authorization to operate in other areas is granted by the Director in the Agreement.
9. A SASO may subcontract or use third party operators to provide any of the services identified for SASO services, provided that such subcontractor meets all requirements of these minimum standards, has been approved by the Director in writing, and operates from the SASO’s premises. The SASO is fully responsible for and liable for all acts, conduct,



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omissions, and errors of the subcontractor or third party while acting under agreement to the SASO on the Airport.



B. AIR FRAME, POWER-PLANT AND ACCESSORY REPAIR (A&P)

An aircraft airframe and power plant repair and maintenance operator is a person engaged in the business of providing airframe and power plant or accessory repair and maintenance services and includes the sale of aircraft parts and accessories. Any operator desiring to engage in A&P services must provide as a **minimum** the following:

1. Scope of Activity. An operator shall conduct A&P repair and maintenance services and activities on and from the leased area in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products and services from similar facilities in like markets.
2. Certifications. An operator providing A&P services shall:
 - a. Obtain and maintain, at a minimum, the qualifications as described in FAR Part 43 as then in effect which are applicable to the aeronautical activities to be provided by such operator and appropriate certification from the Federal Communications Commission (FCC).
 - b. The Operator shall have and provide copies to the Airport Director all appropriate FAA and U.S. Department of Transportation certifications and approvals.
 - c. A copy of the certificate(s) must be provided to the Authority during application and evidence of continued certification shall be provided annually.
 - d. The Operator shall provide for servicing all classes of airframe and powerplants.
3. Land Area. An area of 34,000 square feet of land on the Airport is required for the building, temporary aircraft parking, customer vehicle parking, surface water management, pedestrian access, utilities and supporting facilities.
4. Buildings. Lease, sublease, or construct a building having a minimum of 11,000 square feet of properly lighted and heated hangar/ maintenance shop. Office space shall be a minimum of 500 square feet and include a public waiting area, ADA accessible public restroom, office, supply room and utility space. The building(s) shall have a minimum of seven parking stalls, or as specified in the site development section. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.
5. Aircraft Aprons. Operator shall provide aircraft apron space within the leasehold at least equal to the interior hangar storage area so that there is sufficient exterior operational area



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without encroaching on areas outside of the leasehold or into taxiways and associated safety areas. Service or maintenance work other than for disabled aircraft shall not be conducted on the transient aprons without written approval of the Director.

6. Taxiway Access. Operator shall provide paved access from its facilities to the Airport's taxiway system. The paved taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to be served in Operator's facility.
7. Salvage Operations. Aircraft shall NOT be stored for salvage operations.
8. Repair Station. If Operator is a FAR Part 145 approved repair station, Operator shall display evidence of such certification in public view within the office area and provide a copy to the Authority.
9. Personnel.
 - a. Operator shall employ, and have on duty during the required operating hours, trained personnel in such numbers as are required to meet these Standards in a safe and efficient manner, but never less than one (1) person currently certified by the FAA with ratings appropriate to the work being performed, and who holds an airframe and power plant (A&P) rating.
 - b. Operator shall employ a sufficient number of personnel to adequately address calls or customers at Operator's facilities.
10. Safety. Operator shall conduct all maintenance operations in accordance with the Airport Rules and Regulations, adopted NFPA code, applicable Department of Environmental Protection rules, South Dakota DANR regulations, and best management practices, and other applicable safety regulations.
11. Hours of Operation. Hours of operation shall be a minimum of eight (8) hours per day, five (5) days per week, with provisions for emergency on-call service during nights, weekends, and holidays. The normal operating hours shall be from 8:00am to 4:00 pm Monday through Friday.
12. Equipment. Operator shall have all reasonably necessary equipment for servicing the aircraft routinely using the airport and in accordance with the manufacturer's specifications and applicable FAA regulations. This includes providing for aircraft recovery services, as necessary, to promptly remove disabled aircraft from the airfield, including the largest general aviation aircraft normally expected to utilize the Airport.



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13. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.
14. Hearing. An application to conduct or engage Aircraft Airframe and Power Plant Maintenance or Repair requires a public hearing.



C. AVIONICS, INSTRUMENT, AND ACCESSORY (AVIONICS) AND/ OR PROPELLER REPAIR SERVICE

An avionics repair operator is a person engaged in the business of repairing aircraft radios, instruments, and accessories. A propeller repair operator is a person or entity engaged in the business of repairing aircraft propellers. This category includes repair, sale, and installation of new or used aircraft radios, instruments, accessories, and propellers. Any Operator desiring to engage in Avionics or propeller repair services must provide as a **minimum** the following:

1. **Scope of Activity.** Such operator shall conduct its avionics and/or propeller repair services on and from the leased area in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products, services, and activities from similar facilities in like markets.
2. **Land Area.** An area of 33,000 square feet of land on the Airport for buildings, vehicle parking and temporary aircraft parking.
3. **Buildings.** Lease, sublease, or construct a building having a minimum of 11,000 square feet of properly lighted and heated hangar/ maintenance shop. Office space shall be a minimum of 500 square feet and include public waiting area, ADA accessible public restroom, office, supply room and utility space. Building(s) shall have a minimum of five parking stalls, or as specified in the site development section. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.
4. **Aircraft Apron.** Operator shall provide aircraft apron space within the leasehold at least equal to the space required for two aircraft of the type expected to be serviced at the facility, including taxiing and pre/ post flight operations. Parked aircraft shall not exceed leasehold boundaries or encroach upon adjacent taxilane safety areas. Operators with leaseholds approved adjacent to a transient apron may utilize the transient apron only for temporary parking (less than daily) and pre/ post flight operations. Service or Maintenance work shall not be conducted on transient aprons without written approval of the Director.
5. **Certifications.** An operator providing avionics and/ or propeller repair services shall:
 - a. Obtain and maintain, at a minimum, the repair station certificates as described in FAR Part 145 as then in effect which are applicable to the aeronautical activities to be provided by such operator and appropriate certification from the Federal Communications Commission (FCC).



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- b. The Operator shall have and provide copies to the Airport Director all appropriate FAA and U.S. Department of Transportation certifications and approvals.
 - c. A copy of the certificate(s) must be provided to the Director during application and evidence of continued certification shall be provided annually.
 - d. Minimum Ratings shall provide for servicing all classes of radio and instruments including any class III repairs.
6. Personnel. Repair personnel must be currently and properly certificated by the FAA with ratings appropriate to the work being performed.
 - a. Operator shall provide a sufficient number of personnel to adequately and safely carry out avionics, instrument, or propellor repair services in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services, but never less than one (1) person currently certified by the FAA with ratings appropriate to the work being performed.
 - b. Operator shall employ a sufficient number of personnel to adequately address calls or customers at Operator's facilities.
7. Hours of Operation. Hours of operation shall be a minimum of eight (8) hours per day, five (5) days per week, with provisions for emergency on-call service during nights, weekends, and holidays. The normal operating hours shall be from 8:00am to 4:00 pm Monday through Friday.
8. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.
9. Hearing. An application to conduct or engage in avionics, instruments or propellor repair services requires a public hearing.



D. AIRCRAFT RENTAL

Any service desiring to engage in the rental of aircraft shall provide as a **minimum** the following:

1. **Scope of Activity.** Operator shall conduct its aircraft rental activities on and from the leased area in conformance with all applicable rules and regulations and in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products, services, and activities from similar facilities in like markets.
2. **Land Area.** An area of 13,000 square feet of land on the Airport is required for the building, temporary aircraft parking, and customer vehicle parking.
3. **Buildings.** Lease, sublease, or construct a building having a minimum of 3,500 square feet of hangar space. Office space shall be a minimum of 800 square feet including properly lighted and heated ADA accessible public restroom, office, flight planning, customer waiting area/ lounge, supply room and utility area. The building(s) shall have a minimum of six parking stalls, or as specified in the site development section. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.
4. **Personnel.** The Operator shall employ a minimum of one person holding a current FAA pilot certificate with appropriate ratings for the aircraft being rented and additional staff, as necessary, to provide for office to be attended during business hours.
5. **Hours of Operation.** The hours of operation shall be a minimum of eight (8) hours per day, five (5) days per week. The normal operating hours shall be from 8:00am to 4:00 pm.
6. **Equipment.** The Operator shall own or have an exclusive lease in writing for two (2) airworthy single-engine or multi-engine aircraft with one (1) aircraft equipped for flight under both visual and instrument conditions. A rotorwing aircraft rental Operator shall have two rotor wing aircraft, one of which must be equipped for flight under both visual and instrument conditions. If providing both fixed wing and rotor wing rental, two total aircraft must be provided, each with instrument meteorological condition capabilities. Aircraft may be cross utilized for Flight Instruction or Sales demonstration if the Rental Operator meets the requirements for those services.
7. **Maintenance.** Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.



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8. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in Appendix A attached.
9. Hearing. An application to conduct or engage Aircraft Rental requires a public hearing.



E. AIRCRAFT SALES

Any service desiring to engage in the sale of aircraft to the public shall provide as a **minimum** the following:

1. **Scope of Activity.** Operator shall conduct its aircraft sales activities on and from the leased area in conformance with 14 CFR Part 135 and in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products, services, and activities from similar facilities in like markets.
2. **Land Area.** An area of 8,000 square feet of land on the Airport is required for the building, temporary aircraft parking, and customer vehicle parking.
3. **Buildings.** Lease, sublease, or construct a building having a minimum of 1,800 square feet of hangar space. Office space shall be a minimum of 600 square feet including properly lighted and heated ADA accessible public restroom, office, flight planning, customer waiting area/ lounge, supply room and utility area. The Building(s) shall have a minimum of three parking stalls, or as specified in the site development section. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.
4. **Personnel.** The Operator shall employ a minimum of one person holding a current FAA pilot certificate with appropriate ratings for the aircraft being sold and additional staff, as necessary, to provide for office to be attended during business hours.
5. **Hours of Operation.** The hours of operation shall be a minimum of eight (8) hours per day, five (5) days per week. The normal operating hours shall be from 8:00am to 4:00 pm.
6. **Equipment.** Operator shall maintain on site at least one (1) air worthy aircraft representative of the product line being offered for sale and equipped for flight under both visual and instrument conditions. Aircraft may be cross utilized for rental or instruction if the Sales Operator meets the requirements for those services.
7. **Maintenance.** Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.
8. **Insurance.** The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in Appendix A attached.
9. **Hearing.** An application to conduct or engage in Aircraft Sales requires a public hearing.



F. FLIGHT TRAINING

An operator engaged in instructing pilots or student pilots in dual and solo flight training, in fixed and/or rotary wing aircraft, and/or providing such related ground school instruction as is necessary and preparatory to taking a written exam and flight check ride shall provide as a **minimum** the following:

1. **Scope of Activity.** Each Flight Training Operator shall conduct its flight training services and activities on and from the leased area in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products, services, and activities from similar facilities in like markets.
2. **Certifications.** The operator shall meet the continuing requirements for certification as a flying school mandated by the FAA and TSA, Training shall be conducted in a manner that meets all requirements of FAR Parts 61 or 141 and other applicable laws, relating to primary flying schools. If additional or more advanced training is offered by the Operator, such advanced training shall also confirm to the requirements of FAR Parts 61 or 141. The operator shall provide the Authority with evidence of Part 141 certification if applicable. The operator will immediately notify the Authority in the event of lapse, denial, revocation, or other loss of certification as a Part 141 school.
3. **Land Area.** Lease or sublease for building space and customer/employee parking 11,000 square feet of land if abutting a transient aircraft parking apron or 14,000 square feet of land if not abutting a transient aircraft parking apron.
4. **Buildings.** Lease, sublease, or construct a building having a minimum of 3,500 square feet of hangar space. Office space shall be a minimum of 800 square feet including properly lighted and heated ADA accessible public restroom, office, flight planning, customer waiting area/ lounge, classroom, supply room and utility area. The building(s) shall have a minimum of eight vehicle parking stalls, or as specified in the site development section. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.
5. **Aircraft Apron.** Operator shall provide aircraft apron space within the leasehold at least equal to the space required for the two aircraft to operate simultaneously, including taxiing and preflight operations. Parked aircraft shall not exceed leasehold boundaries or encroach upon adjacent taxilane safety areas. Operators with leaseholds approved adjacent to a



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transient apron may utilize the transient apron for temporary parking (less than daily), pre/ post flight operations and instruction.

6. Taxiway Access. Operator shall provide paved access from its facilities to the Airport's taxiway system. The paved taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to be served in Operator's facility.
7. Personnel. The Operator shall employ a minimum of one properly certified flight instructor capable of providing on-demand instruction sufficient to enable students to pass the FAA written examinations and flight check rides for up to a commercial rating.
8. Hours of Operation. Hours of operation shall accommodate the flight training activity but shall be no less than forty (40) hours per week. The normal operating hours shall be variable.
9. Equipment. The Operator shall own or have an exclusive lease in writing for one (1) airworthy aircraft equipped for flight under both visual and instrument conditions. An Operator providing rotor aircraft flight training shall have one rotor wing aircraft which must be equipped for flight under both visual and instrument conditions. If providing both fixed wing and rotor wing flight instruction, two total aircraft must be provided, each with instrument meteorological condition capabilities. Aircraft may be cross utilized for rental or sales demonstration if the Instruction Operator meets the requirements for those services.
10. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.
11. Hearing. An application to conduct or engage in Flight Training requires a public hearing.



G. ON DEMAND AIRCRAFT CHARTER (AIR TAXI)

An aircraft taxi or charter operator is a Commercial Operator engaged in on-demand common carriage for persons or Property (as defined in 14 CFR Part 135) or operates in private carriage (as defined in CFR Part 125). For the purposes of these Minimum Standards, On Demand Aircraft Charter does not include Air Ambulance services. Charter Operators shall provide as a **minimum** the following:

1. **Scope of Activity.** Operator shall conduct its aircraft charter or air taxi and activities on and from the leased area in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products, services and activities from similar facilities in like markets.
2. **Certifications.** An operator providing aircraft charter services shall provide aircraft charter services as defined in, and in accordance with, the associated Federal Aviation Regulation (Part 135 or Part 125).
 - a. The Operator shall have and provide copies to the Airport Director all appropriate FAA and U.S. Department of Transportation certifications and approvals, including without limitation, the Pre-application Statement of Intent (FAA Form 8400-6), the Registrations and Amendments under Part 298 and the FAA issued Operating Certificate.
 - b. A copy of the certificate(s) must be provided to the Authority during application and evidence of continued certification shall be provided annually.
 - c. The Operator must comply with TSA regulations covering Aircraft charters. Operations utilizing aircraft over 45,500 Kilograms or 61 or more passengers, shall provide the Director with the operation plan to ensure compatibility with the Airport Security Program. Operator must provide certification that TSA has reviewed the operation for compliance.
3. **Land Area.** Lease or sublease for building space and customer/employee parking 16,000 square feet of land if abutting a transient aircraft parking apron or 20,000 square feet of land if not abutting a transient aircraft parking apron.
4. **Buildings.** Lease, sublease, or construct a building having a minimum of 5,000 square feet of hangar space. Office space shall be a minimum of 700 square feet including properly lighted and heated ADA accessible public restroom, office, flight planning, customer waiting area/ lounge, supply room and utility area. Building(s) shall have a minimum of nine parking



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stalls, or as specified in the site development section. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.

5. Aircraft Apron. The Operator shall provide aircraft apron space within the leasehold at least equal to the space required for aircraft of the type operated in order to operate, including taxiing and pre/ post flight operations. Parked aircraft shall not exceed leasehold boundaries or encroach upon adjacent taxilane safety areas. Operators with leaseholds approved adjacent to a transient apron may utilize the transient apron for temporary parking (less than daily), pre/ post flight operations and enplanement/ deplanement of passengers.
6. Personnel. The Operator shall:
 - a. Provide not less than two (2) currently certificated FAA commercial pilots with ratings adequate to fly the aircraft owned or leased by the operator and a sufficient number of personnel to adequately and safely carry out aircraft charter or air taxi and activities in a courteous, prompt, and efficient manner adequate to meet regulations and the reasonable demands of the public seeking such services.
 - b. Employ a sufficient number of qualified commercial and/or airline transport rated pilots to meet regulatory requirements for the aircraft type and operating requirements of the services offered.
7. Hours of Operation. The Operator shall be open, and services shall be provided, to meet the reasonable demands of the public (for this category of service) during normal business hours. After hours, on-call response time to provide aircraft charter or air taxi and shall not exceed four (4) hours.
8. Equipment. Operator shall own or have an exclusive lease in writing for one (1) air worthy single-engine or multi-engine aircraft equipped for flight under instrument conditions and meets all relevant requirements in 14 CFR Part 135. Operator shall maintain ability to coordinate turbine or jet aircraft charter services upon request with at least five (5) days' notice.
9. Ground Transportation Services. The Operator may make provisions for the transportation of pilots and passengers of the Operator's flights to and from the Operator's facilities across the Airport's Apron areas as a part of their business operations. The Operator performing this service with motor vehicles driven on the Airport property shall do so only in strict



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compliance with any Airport rules and regulations, applicable federal, State, and municipal laws, ordinances, codes or other similar regulatory measures as may be hereafter added, modified, or amended. The Operator shall procure and maintain for any motor vehicles they operate at the Airport, motor vehicle liability insurance in the limits specified in Exhibit A.

10. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.
11. Hearing. An application to conduct or engage in Aircraft Charter or taxi services requires a public hearing.



H. AIR AMBULANCE OPERATOR

An Air Ambulance Operator is a Commercial Operator engaged in on-demand common carriage for persons or Property (as defined in 14 CFR Part 135) in medical emergencies and shall provide as a **minimum** the following:

1. **Scope of Activity.** The Operator shall conduct its air ambulance services and activities on and from the leased area in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products, services and activities from similar facilities in like markets.
2. **Certifications.** An operator providing aircraft for air ambulance services shall provide aircraft charter services as defined in, and in accordance with, the associated Federal Aviation Regulation (Part 135). A copy of the certificate must be provided to the Authority during application and evidence of continued certification shall be provided annually.
 - a. The Operator shall have and provide copies to the Airport Director all appropriate FAA and U.S. Department of Transportation certifications and approvals, including without limitation, the Pre-application Statement of Intent (FAA Form 8400-6), the Registrations and Amendments under Part 298 and the FAA issued Operating Certificate.
 - b. A copy of the certificate(s) must be provided to the Authority during application and evidence of continued certification shall be provided annually.
3. **Land Area.** Lease or sublease for building space and customer/employee parking 16,000 square feet of land including a dedicated aircraft parking apron for the enplanement or deplanement of passengers.
4. **Buildings.** Lease, sublease, or construct a building having a minimum of 5,000 square feet of hangar space. Office space shall be a minimum of 800 square feet including properly lighted and heated ADA accessible restroom, office, flight planning, pilot sleep quarters/ lounge, supply room and utility area. Building(s) shall have a minimum of five parking stalls, or as specified in the site development section. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.
5. **Aircraft Apron.** Operator shall provide aircraft apron space within the leasehold at least equal to the space required for two aircraft of the type operated to operate simultaneously, including taxiing and pre/ post flight operations including enplaning or deplaning



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passengers. Parked aircraft shall not exceed leasehold boundaries or encroach upon adjacent taxiway safety areas.

6. Licenses and Certifications. Operator shall have and provide copies to the Airport Director all appropriate FAA and U.S. Department of Transportation certifications and approvals, including without limitation, the Pre-application Statement of Intent (FAA Form 8400-6), the Registrations and Amendments under Part 298 and the FAA issued Operating Certificate.
7. Personnel. The Operator shall:
 - a. Provide not less than one (1) currently certificated FAA commercial pilot with ratings adequate to fly the aircraft owned or leased by the operator and a sufficient number of personnel to adequately and safely carry out air ambulance services and activities in a courteous, prompt, and efficient manner adequate to meet regulations and the reasonable demands of the public seeking such services.
 - b. Employ a sufficient number of qualified commercial transport rated pilots meeting regulatory requirements for the aircraft type and operating requirements of the services offered on an uninterrupted basis.
8. Hours of Operation. The Operator shall be open, and services shall be provided, to meet the reasonable demands of the public (for this category of service) during all hours.
9. Equipment. Operator shall own or have an exclusive lease in writing for one (1) air worthy single-engine or multi-engine aircraft equipped for flight under instrument conditions and meets all relevant requirements in 14 CFR Part 135.
10. Ground Transportation Services. The Operator may make provisions for the transportation of pilots and passengers to and from the Operator's facilities, across the Airport's aprons if necessary, as a part of their business operations. The Operator performing this service with motor vehicles driven on the Airport property shall do so only in strict compliance with any Airport rules and regulations, applicable federal, State, and municipal laws, ordinances, codes or other similar regulatory measures as may be hereafter added, modified, or amended. The Operator shall procure and maintain for any motor vehicles they operate at the Airport, motor vehicle liability insurance in the limits specified in Exhibit A.
11. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.



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12. Hearing. An application to conduct or engage in Air Ambulance Services does NOT require a public hearing.



I. AIRCRAFT STORAGE- COMMERCIAL OPERATOR

A commercial hangar operator is a person which develops, constructs, owns, leases or operates one or more hangar structures for the sole purpose of leasing, or subleasing, to the general public aircraft storage facilities for the intent of gaining profit whether or not profit is realized. Each commercial hangar operator at the airport shall provide as a **minimum** the following:

1. Scope of Activity. The Operator shall use the assigned leased area solely to develop and maintain hangars and facilities related to storing and maintaining aircraft. No commercial activity of any kind other than the sublease of hangar space shall be permitted on or from the leased area. Operator shall not be permitted to dispense, sell, or otherwise distribute fuels, propellants, or lubricants to any person. Operator shall not be permitted to sublease land, hangar, office, or shop space to any person for any purpose other than the storage of Aircraft. Land or hangar space shall not be available for the conduct of private maintenance that requires FAA certificates unless the land or building meets all applicable codes and regulations. Commercial maintenance is not allowed.
2. Land Area. An area of 18,000 square feet of land on the Airport for buildings, vehicle parking at 1 parking space per 1,000 sq ft of hangar storage, and apron space for temporary aircraft parking during retrieval or storage.
3. Aircraft Apron. Operator shall provide aircraft apron space within the leasehold at least equal to the interior hangar storage area so that there is sufficient exterior operational area without encroaching on areas outside of the leasehold or into taxiways and associated safety areas. Apron space may not be used for parked storage overnight.
4. Buildings. All buildings or structures shall be sited and constructed in accordance with these standards.
 - a. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport’s restricted areas. The Commercial Hangar Operator shall be responsible for compliance with the Airport Security Program, regardless of the individual status of each tenant or cause of any violation.
 - b. The development of commercial hangar(s) shall be limited to the following types of hangar structures:
 - i) T-Hangars- a single structure of not less than 10,000 square feet sub-divided and configured to accommodate individual bays for the storage of private aircraft, such



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bays shall be contiguous areas with common walls. Building(s) shall have a minimum of ten vehicle parking stalls, or as specified in the site development section if a dedicated parking lot is provided. Vehicle parking shall be inside the T-hangars only if a dedicated parking lot is not provided.

- ii) A common storage hangar structure of not less than 5,000 square feet that is completely enclosed. The building(s) shall have a minimum of ten parking stalls, or as specified in the site development section.
5. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.
 6. Hearing. An application to conduct or engage in Commercial Hangar Storage requires a public hearing.



J. AIRCRAFT STORAGE- NON-COMMERCIAL OPERATOR (PRIVATE HANGARS)

A non-commercial hangar operator is a person, corporation or other legal entity which develops and constructs a hangar structure for the sole purpose of storing an aircraft which is either owned or leased for non-commercial, private (not for hire), personal and/or recreational purposes only. This category includes flying clubs and other such entities that incorporate partial ownership into the by-laws for membership. Each non-commercial hangar operator at the airport shall provide as a **minimum** the following:

1. **Scope of Activity.** Operator shall use the assigned area solely to store and maintain aircraft owned or leased and utilized by the operator for non-commercial purposes. No commercial activity of any kind shall be permitted on or provided from the assigned area. Land or hangar space shall not be available for the conduct of commercial or private maintenance that requires FAA certificates unless the land or building meets all applicable codes and regulations. Operator shall not be permitted to dispense, sell, or otherwise distribute fuels, propellants, or lubricants to any person. Any operator wishing to self-fuel must receive prior written consent of the Sioux Falls Regional Airport Authority prior to initiation of such practice and must adhere to all applicable laws and minimum standards. Operator shall not be permitted to sublease land, hangar, office, or shop space to any person for any purpose.
2. **Land Area.** A minimum land area of sufficient size (approximately 11,000 square feet) to house hangar facilities and upon which all required improvements for facilities, aircraft apron, vehicle parking, roadway access, fire code buffer and landscaping will be located.
3. **Buildings.** All buildings or structures shall be sited and constructed in accordance with these standards.
 - a. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport’s restricted areas. The Private Hangar Operator shall be responsible for compliance with the Airport Security Program, regardless of the individual status of each person present or cause of any violation.
 - b. The development of non-commercial hangar(s) shall be limited to common storage hangar structures of not less than 2,500 square feet that are completely enclosed.
 - c. The building(s) shall have a minimum of three vehicle parking stalls, or as specified in the site development section.



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4. Aircraft Apron. The Operator shall provide aircraft apron space within the leasehold at least equal to the interior hangar storage area so that there is sufficient exterior operational area without encroaching on areas outside of the leasehold or into taxiways and associated safety areas. Apron space may not be used for parked storage overnight.
5. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.
6. Hearing. An application to conduct or engage in private hangar storage does NOT require a public hearing.



K. OTHER - SPECIALIZED COMMERCIAL FLIGHT SERVICES

A Specialized Aviation Service Operator (SASO) not described elsewhere in these Minimum Standards shall conform to the minimum standards of this section. A Commercial Aeronautical Operator may engage in the following flight services including, but not limited to banner towing and aerial advertising, aerial photography, aerial survey, fire patrol or any other operations specifically excluded from Part 135 of the FAA Regulations. These operators shall provide as a **minimum** the following:

1. Scope of Activity. Each SASO shall conduct its specialized Commercial Aeronautical Activities on and from the leased area in a first-class manner which shall be consistent with the degree of care and skill exercised by experienced operators providing comparable products, services, and activities from similar facilities in like markets.
2. Land Area. Each SASO shall develop adequate facilities to accommodate dedicated space for the administration and provision of the specialized Commercial Aeronautical Activities. Any commercial aeronautical activity, or a non-commercial aeronautical activity based at the airport, conducted without an agreement will be declared an Unauthorized Through the fence operation.
3. Facilities. Any facilities shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.
4. Personnel. The Operator shall provide a sufficient number of personnel to safely carry out its specialized commercial aeronautical services and activities in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking services. Personnel must include individuals licensed or certified as appropriate for the activity being conducted.
5. Hours of Operation. The Operator shall be open, and services shall be available, during hours commensurate with industry practice for that activity as agreed upon by the Director. Operator shall make provisions for personnel to be in attendance in its office at all times during required operating hours or shall have an answering service, paging system, or other acceptable method for the public to contact Operator.
6. Insurance. The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached. If the coverage limits identified in



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Appendix A do not apply, the Director shall determine limits and include the agreed upon limits in the Agreement.

7. Hearing. An application to conduct or engage in aeronautical activities not already defined herein ("Other") may require a public hearing as determined by the Director.

L. AERIAL APPLICATIONS

Due to the proximity of a large aquifer under the Sioux Falls Regional Airport which provides drinking water for the City of Sioux Falls, all aerial applicators and their operations are not allowed on the Airport.

M. SKYDIVING OPERATIONS

A Commercial Skydiving Operator engages in the transportation of people for Skydiving, instruction in Skydiving, and rental and sales of Skydiving Equipment. Commercial Skydiving is not permitted at the Airport due to the volume of flights including commercial and military flight operations.



III. Minimum Standards for Fixed-Base Operators (FBO)

A. SCOPE OF ACTIVITY

A person or organization meeting the appropriate minimum standards may apply to the Authority for permission to operate as a Fixed-Base Operator (FBO). An FBO generally serves as a portal for pilots and passengers between the aircraft and ground transportation. Since the FBO directly represents the Airport by its facility and services to the general public, a higher standard than other commercial aeronautical operators (SASOs) is applied.

B. AUTHORIZATION

An FBO is the only operator classification authorized to sell fuel or petroleum products and provide line services at the airport.

C. MULTIPLE SERVICES

In addition to lines services and fueling, FBO Operators must provide:

1. Commercial Aircraft Storage.
2. A&P Services.
3. Aircraft Storage and A&P services, along with any other services, may be provided directly by the FBO Operator or by utilizing a contract with SASO established at the Airport. FBO operator and SASO must provide written notification to the Director of the agreement.
4. Services must meet the Minimum Standards whether directly operated or contracted.
5. Line services may be provided by through an agreement with a SASO but must be available during the established business hours of the FBO.

D. COMMERCIAL FUEL SALES/LINE SERVICES

Operator shall provide, but not be limited to, the following services in a quantity and level of quality to meet the needs of the airlines and general aviation:

1. Aviation fuel sales for end user consumption.
 - a. Minimum of one (1) 750-gallon aviation fuel truck
 - b. Minimum of one (1) 5,000-gallon jet fuel truck
 - c. Trucks shall be equipped and maintained in accordance with City, State, DOT, NFPA, Federal Regulations and Authority standards and shall be subject to inspection by the Airport under the provisions of FAR Part 139.
 - d. All fuel trucks shall comply with the following:



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- i) Fuel trucks 5,000 gallons and under may be single axle design.
 - ii) Fuel trucks 5,001 to 9,999 gallons shall be at least two axle design.
 - iii) Trucks 10,000 gallons or more shall be at least three axle design.
 - e. The Operator is prohibited from selling fuels or other aviation products to individuals or organizations who plan to resell those products to others at the Sioux Falls Regional Airport.
 - f. Into-plane Commercial Airline fueling.
2. Self-serve fuel islands:
 - a. A self-serve fuel island is not required
 - b. If provided, self-serve fuel islands must meet the requirements for fuel storage tanks contained within the Fueling Operations section of these standards with a minimum of 750 gallons.
 - c. Self-serve fuel island locations are subject to Director approval.
3. Associated aviation line (ramp) services including, but not limited to:
 - a. Aircraft deicing
 - b. Aircraft preheating/starting
 - c. Aircraft towing/parking
 - d. Pilot supplies
 - e. Aircraft meeting/greeting
 - f. Tie-down services
 - g. In/out hangar services. Operator shall provide space as available for the storage of aircraft visiting or based at the Airport on a first come, first serve basis
 - h. Aircraft washing with adequate containment
 - i. Aircraft catering arrangements
 - j. Oxygen, nitrogen, compressed gas services
 - k. Lavatory and cleaning service
 - l. Aircraft Ground power
 - m. Pilot courtesy car
 - n. Rental car coordination
4. Tools, towing equipment, and the demonstrated capability to efficiently and safely move aircraft and store them in compliance with airport regulations.
5. The Authority shall retain the exclusive right to provide all fuel storage, all fuel sales on the Airport to other individuals or other organizations who intend to resale the product to others at the Airport, and all fuel sales to aircraft owners who desire to self-fuel their own aircraft at the Airport using approved mobile fuel trucks.



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6. The FBO shall maintain a fuel spill prevention and clean-up plan approved by the Airport and City for the leased areas, fuel farm, truck storage and the ramp areas.
7. The FBO shall ensure all line service personnel participate in new-hire and annual fire safety training and other fuel service training as required by FAR Part 139 and applicable fire codes. Additional reasonable Airport emergency training deemed appropriate by the Airport may be requested from time to time.
8. The FBO shall provide the Authority with reports of its Fueling activity and provide payments in such form and detail and with such frequency as is required by the Agreement. In addition, at the Director's request, FBO shall furnish the Authority with copies of all invoices, delivery tickets and other records showing the amount of fuel purchased and dispensed during the period for which each fuel flowage fee payment (if any) is due. Fuel purchase invoices and dispensing records shall be maintained for a minimum of 24 months. Records (and meters) shall be made available for audit by the Airport or designated representatives of the Airport. In the case of a discrepancy, Permittee shall promptly pay, in cash, all additional rates, fees, and charges due the Airport, plus annual interest, calculated daily, on the unpaid balance at the lesser of 18% or the maximum rate allowable by law from the date originally due.

E. AIRCRAFT APRON

Operator shall provide aircraft apron space meeting the following minimums:

1. Within the leasehold at least equal to the interior hangar storage area so that there is sufficient exterior operational area without encroaching on areas outside of the leasehold or into taxiways and associated safety areas but no less than 20,000 square feet.
2. Operators with leaseholds approved adjacent to a transient apron may utilize the transient apron for temporary aircraft parking (less than weekly), pre/ post flight operations and enplanement/ deplanement of passengers. Service or Maintenance work other than for disabled aircraft shall not be conducted on the transient aprons without written approval of the Director.
3. Regardless of private apron or transient apron operations, the FBO operator shall employ a Foreign Object Debris (FOD) prevention program that includes FBO personnel routinely scanning and eliminating any FOD present in aircraft operating areas.

F. FUEL STORAGE

1. The Operator shall provide fuel storage facilities in airport designated areas.



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2. Fuel storage tanks must be above ground and constructed/maintained in compliance with all applicable Airport, City, State and Federal laws, rules and regulations and these minimum standards. The tanks shall provide the minimum storage volumes:
 - a. Jet A – 20,000 gallons
 - b. Aviation Gas – 7,000 gallons

3. Fuel delivery vehicles shall be stored in a secondary containment area meeting City and State environmental requirements and in accordance with the separation standards specified herein. Trucks shall provide the minimum transport volumes:
 - a. Jet A- 3,000 gallons
 - b. Aviation Gas- 750 gallons

G. HOURS OF OPERATION

1. Fuel, Hangaring, and Line Services: Operator will provide qualified, uniformed staff available in levels necessary to meet airline and public service needs 24 hours per day, 7 days a week as necessary to meet the aircraft fueling demand at the Airport or at operating hours mutually agreed to by both parties. Operator shall arrange for emergency on-call service during periods when not attended.
2. Aircraft Maintenance and Repair Services: Operator agrees to have qualified staff available a minimum of forty (40) hours per week, for the purpose of providing aircraft maintenance, repair, and other services to the general public, with provisions for emergency on-call service for aircraft maintenance during nights, weekends, and holidays. The Operator must advise the Airport if these services are provided by their staff or contracted out to approved vendors.

H. LAND AREA

A minimum of 65,000 sf of land on Airport property is required for FBO operations to accommodate buildings, aircraft, equipment and customer and employee parking.

I. BUILDINGS

1. A minimum of 21,500 sf of building space is required including a minimum of 20,000 sf of hangar and 1500 sf of Office space.



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2. Office area shall include, at a minimum, a manager's office, 2 ADA accessible bathrooms, reception area with public phone, breakroom, supply room, flight planning room, pilot's rest lounge, a line room and non-public space for utilities.
3. The building(s) shall have a minimum of thirty (30) parking stalls, or as specified in the site development section along with the required sidewalks to accommodate public access including any ADA accessibility requirements.
4. The building shall include controls as approved by the Director to maintain the secure boundary to prevent unauthorized access to the Airport's restricted areas.

J. PROMOTION

An FBO Operator shall cooperate with the Director and shall do all things reasonable to advance or promote the Airport and aeronautical activities and to develop the Airport as a safe, attractive, professional, efficient, and modern transportation facility.

K. INSURANCE

The Operator performing the services under this category will be required to carry insurance coverage of not less than the limits specified for this aeronautical activity in these standards and as listed in Appendix A attached.

L. HEARING

An application to conduct or engage in Fixed Based Operator services requires a public hearing.



IV. Self-Fueling

A. RIGHT TO SELF- FUEL

In order to comply with federal grant assurances, which allow private aircraft owners the ability to self-fuel their aircraft, the Authority has adopted the following conditions for the exercise of self-fueling at the airport.

B. PERMIT REQUIRED

Any person other than an FBO seeking to engage in self-fueling of aircraft at the Airport must obtain a self-fueling permit from the Director. A “Self-Fueler” is any person to whom the Authority has granted a Self-Fueling Permit. The Director shall issue a Self-Fueling Permit to any person meeting the following requirements:

C. COMPLIANCE WITH LAWS, REGULATIONS AND STANDARDS

The Operator shall maintain compliance with all applicable laws and regulations including those standards and requirements contained within these minimum standards, including but not limited to, the standards for Fueling Operations.

D. INSURANCE

1. The Operator shall maintain insurance coverage and minimum limits outlined in these minimum standards and as identified in Attachment A, unless such limits or coverages are superseded by order of the Airport Director.
2. General liability limits may be met with the requirements for private hangar insurance.
3. Environmental Impairment Liability, as specified, with a minimum coverage as specified in Attachment A will be maintained per occurrence combined single limit providing coverage for damages against bodily injury and property damage including contamination, clean-up costs, and corrective action damages.
4. Authority shall be listed as an additional insured.

E. EQUIPMENT

Each Self-Fueler shall maintain fuel storage and/ or mobile fueling trucks meeting these requirements:



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1. Fixed location storage tanks shall have a capacity of not less than two thousand (2000) gallons and not more than ten thousand (10,000) gallons each. Combined total of storage tanks shall not exceed ten thousand 10,000 gallons.
2. Mobile fueling trucks shall have a minimum capacity of not less than two hundred fifty (250) gallons and not more than five thousand (5,000) gallons. Self-fuelers are limited to one mobile fueling truck for each fuel type supported.
3. Each tank and mobile fueler shall be clearly marked on all sides with the type of Fuel (e.g., Jet A or Avgas) and with “Flammable” and “No Smoking” placards placed on all exterior sides. Additionally, all fuel transport or dispensing tanks shall be marked on each side with lettering, no less than six inches (6”) in height identifying the N- number(s) of the aircraft permitted to be self- fueled by the operator.
4. Two twenty (20) pound Class B fire extinguishers shall be readily available during all Self-Fueling operations.
5. A sufficient supply of absorbent material and the means to transport such material for the immediate containment and clean-up of a spill and for removal of the contaminated absorbent material shall be maintained at all times.
6. Cables for bonding the Fuel dispensing system and the Aircraft to zero electrical potential shall be provided.
7. All Self-Fueling equipment shall be subject to inspection at any time by the Authority.
8. All refueling equipment shall be equipped with reliable metering devices that meet all applicable federal, state and local regulatory requirements and such meters shall be subject to independent inspection.
9. All Self-Fueling transport, dispensing tanks and associated equipment shall comply with all applicable laws and regulations.
10. All refueling vehicles, tanks and equipment on the Airport shall be maintained and operated in accordance with Federal, State, City, Airport and industry requirements, including without limitation ATA 103, NFPA, DOT and OSHA guidelines regarding the transportation, dispensing and storage of flammable liquids. All facilities are subject to inspection and compliance enforcement by the Authority and officials of the City of Sioux Falls.
11. Refueling vehicles not meeting DOT criteria for on-road use are subject to an annual fee established by the Authority and listed in the rates and charges schedule.



F. LIMITATION

1. A Self-Fueler may only perform Self-Fueling on aircraft that are:
 - a. Owned by such Self-Fueler, or
 - b. Are within the Self-Fueler's complete operational control, exclusively used by such Self-Fueler, and subject to a lease to such Self-Fueler with an initial or remaining term of at least one year.
2. Fueling Operations may only be performed by a Self-Fueler in an area designated by the Director or in the Self-Fueler leased area but no closer than 25 feet from the Self-Fueler's hangar and clear of any taxilane object free areas.
3. Fueling operations may only be performed by the Self-Fueler or by Self-Fueler's employees, and only using refueling vehicles and other fueling equipment owned or exclusively leased by the Self-Fueler and operated by the Self-Fueler or Self-Fueler's employees.
4. If a Flying Club has been issued a Self-Fueling Permit, the members of that Flying Club may engage in Self-Fueling with respect to any aircraft owned or leased by that Flying Club or jointly by all of the members of that Flying Club.
5. A Self-Fueler may not sell fuel or other petroleum products at the Airport.

G. FUEL FLOWAGE FEES/ RECORDS

1. Each Self-Fueler shall pay to the Authority a fuel flowage fee as may be established by resolution of the Authority.
2. Each Self-Fueler shall provide the Authority with reports of its Self-Fueling activity and payments in such form and detail and with such frequency as is required by these standards and the operating agreement.
3. At the Director's request, a Self-Fueler shall furnish the Authority with copies of all invoices, delivery tickets and other records showing the amount of fuel purchased and dispensed during the period for which each fuel flowage fee payment (if any) is due.
4. Fuel purchase invoices and dispensing records shall be maintained for a minimum of 24 months.
5. In the case of a discrepancy, Operator shall promptly pay all additional rates, fees, and charges due the Airport, plus annual interest, calculated daily, on the unpaid balance at the lesser of 18% or the maximum rate allowable by law from the date originally due.



H. ADDITIONAL REQUIREMENTS

1. A Self-Fueler's storage facility must comply with all applicable laws.
2. Each Self-Fueler shall:
 - a. Only use the entrance, exit and haul routes designated by the Director to transport fuel on and off Airport.
 - b. Train all of its employees engaged in Self-Fueling in the proper operation of the Self-Fueler's refueling vehicles and other fueling equipment, and in the requirements of these Minimum Standards. All employees engaged in Self-Fueling shall have successfully completed a safety course approved by the FAA and evidence of the successful completion of such training shall be provided to the Director; and
 - c. Maintain appropriate records to show that the following minimum inspections of fueling equipment have been performed by the Self-Fueler or its employees:
 - i) NFPA required daily (before use), monthly and quarterly inspections.
 - ii) Weekly – Condition of refueling hoses, pipes, tanks and other systems for leaks as well as emergency shutoff systems and fire extinguishers for operational condition.
3. Inspection records shall be maintained a minimum of 12 calendar months.

I. HEARING

An application to conduct or engage in Self Fueling Operations does not require a public hearing.



V. Fueling Operations

A. GENERAL REQUIREMENTS

1. All persons that sell fuel or fuel their own aircraft by themselves or by using their own employees shall comply with these Minimum Standards, all applicable Airport Directives, local fire code, FAA, NFPA and OSHA standards.
2. All equipment used in fueling, defueling and draining operations shall be approved by the Fire Marshall of Sioux Falls.
3. All fuel facilities at the Airport and refueling vehicles operated at the Airport are subject to inspection by authorized representatives of the Authority.
4. Each Self-Fueler shall observe and comply with any and all public authorities including Sioux Falls Fire Rescue, Sioux Falls Public Works, South Dakota Department of Agriculture and Natural Resources (DANR), the Department of Transportation, Homeland Security, the FAA and TSA. It is the Self-Fueler's responsibility to keep informed of all such laws and applicable requirements of such public authorities.
5. The owner or operator of such fuel facilities or refueling vehicles shall promptly correct any violation of these Minimum Standards.
6. Each Self-Fueler shall pay or reimburse the Authority for any civil penalties or fines which may be assessed against the Authority as a result of the violation by such Self-Fueler or its employees of any of the foregoing requirements, which payment shall be made by Self-Fueler within fifteen (15) days from receipt of the Authority's invoice for such amount and documentation showing that payment of such penalty or fine is such Self-Fueler's responsibility.
7. If any governmental license or permit shall be required to lawfully conduct Self-Fueling at the Airport, each Self-Fueler shall procure and maintain such license or permit and submit the same to the Authority, and such Self-Fueler at all times shall comply with the terms and conditions of each such license or permit.
8. All refueling vehicles and equipment on the Airport shall be maintained and operated in accordance with Federal, State, City, Airport and industry requirements, including without limitation ATA 103, NFPA 407, and OSHA guidelines regarding the transportation, dispensing and storage of flammable liquids.
9. Refueling vehicles not meeting DOT criteria for on-road use are subject to an annual fee established by the Authority and listed in the rates and charges schedule.



B. MANUAL

Each Fueling Operator shall have submitted a Fueling Procedures manual/program to the Airport Director, containing procedures for fuel quality control, personnel training and fuel spill control and clean-up (SPCC), which manual/program shall have been approved by the Director.

C. OPERATING REQUIREMENTS

All fueling operations shall comply with the following conditions.

1. Fueling/ Defueling Aircraft:

- a. Prior to the fueling and defueling of aircraft, the aircraft and the transfer fuel apparatus shall follow the rules and procedures of the Uniform Fire Code, applicable law and NFPA standards for such fueling and defueling.
- b. Aircraft fuel servicing personnel shall not carry lighters or matches on their person while performing fuel servicing operations.
- c. No person shall engage in aircraft fueling or defueling operations without adequate fire extinguishing equipment in accordance with NFPA standards readily accessible at the point of fueling
- d. Unless otherwise previously approved by the Director, in writing, no aircraft shall be fueled or defueled while:
 - i) One or more of its engines is running, APU excepted.
 - ii) Combustion heaters on aircraft (e.g., wing and tail surface heaters, integral cabin heaters) are operating.
 - iii) Thunderstorm activity is within three (3) miles of the Airport.
 - iv) Aircraft is inside any building or structure.
 - v) Aircraft or fueler is within 25 feet of any building
 - vi) Aircraft or fueler is within a taxiway or taxilane Object Free Area.
- e. Hand brakes shall be set on refueling vehicles before operators leave the vehicle cab, and at least one wheel shall be chocked.
- f. Each hose, funnel, or apparatus used in fueling or defueling aircraft shall be maintained in good condition and visibly inspected before each use.
- g. Each fuel delivery device must be properly bonded to the aircraft.
- h. No person shall operate any electronic communication device (including cell phones), or switch electrical appliances on or off, within ten feet of an aircraft fueling port or vent



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while it is being fueled or defueled, except for equipment listed as intrinsically safe for Class I, Division I, Group D (Hazardous) locations in accordance with UL 913.

- i. No refueling vehicle shall be backed within twenty (20) feet of an aircraft unless a person is posted to assist or guide.
2. Spill and emergency response actions:
- a. All refueling vehicles and storage tanks operating at the Airport shall be equipped with spill response equipment to absorb spilled fluids and to prevent fluid from reaching storm or sanitary drains. For vehicles, quantity shall be sufficient to absorb and/ or contain the maximum volume within any individual vehicle. For storage tanks, quantity shall be sufficient to absorb minor leaks.
 - b. Any person, including the owners or operators of the aircraft, causing overflowing or spilling of fuel, oil, grease or other contaminants anywhere on the Airport shall be responsible for ensuring the immediate cleanup in accordance with all applicable laws of such spillage. In the event of failure or refusal to comply with such cleanup requirements, the spillage may be cleaned up by the Authority or an Authority contractor at the responsible party's expense.
 - c. All spillages of fuel or other hazardous substances shall be reported immediately by the responsible party to the 24-Hour Operations number or as provided in airport directives. Aircraft, fuel delivery devices and other vehicles shall not be moved or operated in the vicinity of the spill until the spillage is removed. A fire guard shall be posted promptly by the responsible party.
 - d. When a fire or leak occurs in the fuel delivery device, the responsible party shall immediately take action to limit the spread of the fire and/or minimize the threat of a fuel spill, call 911, report the fire to the Director or as provided in airport directives, immediately discontinue fueling with the device until repairs are completed and an inspection is performed by the Authority.
 - e. No person shall start the engine of an aircraft at the Airport if there is any flammable liquid or other volatile fluid on the ground within the vicinity of the aircraft.

D. FUEL/ FUEL EQUIPMENT STORAGE



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1. Refueling vehicles, whether loaded or empty, shall not enter hangars nor shall they be parked unattended with a distance of fifty (50) feet of any building or within ten (10) feet of any other refueling vehicle.
2. No refueling vehicle designed for, or employed in, transportation of fuel shall be operated on a Movement Area at any time without prior written permission from the Director.
3. Parking areas for Airport approved refueling vehicles shall be arranged to:
 - a. Facilitate dispersal of the refueling vehicles in the event of emergency.
 - b. Provide at least ten (10) feet of clear space between parked refueling vehicles for accessibility for fire control purposes.
 - c. Prevent any leakage from draining to an adjacent building.
 - d. Minimize exposure to damage from out-of-control aircraft.
 - e. Provide at least fifty (50) feet of clear space from any building, aircraft hangar or other airport structure.
4. No person shall bring into the Airport, or store any type of fuel on the Airport, without the written permission of the Director or pursuant to a written agreement with the Authority.
5. No person shall store fuel in excess of one hundred (100) gallons on the Airport except if stored in mobile refueling vehicles authorized by the Director to operate at the Airport, or in an approved fuel storage facility constructed under a written agreement with the Authority, in a location and pursuant to plans and specifications approved by the Director.
6. Requirements for portable fuel storage shall meet DOT requirements including:
 - a. Interior storage of gasoline, avgas or jet fuel:
 - i) Refer to NFPA 30 for storage requirements.
 - ii) No Operator shall store in excess of 100 gallons of any fuel type in the interior of any building.
 - b. Exterior Storage of gasoline, avgas or jetfuel-
 - i) Refer to FBO or Self Fueler sections of these minimum standards for storage volume requirements.
7. Requirements for all aviation fuel storage tanks include:
 - a. All petroleum storage tanks shall be above ground.



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- b. Storage tanks will be located in accordance with State of South Dakota environmental standards.
- c. Storage tanks and associated piping shall be painted white and repainted when determined necessary by the Authority.
- d. Storage tanks shall be double walled.
- e. Storage tanks shall include additional containment to prevent contamination from entering soil, storm or sanitary sewers. Containment shall have the ability to drain clean rainwater when a visual observation determines no fuel is present.
- f. Storage tanks shall be individually marked as determined by fire code:
 - i) Fuel type in contrasting colors.
 - ii) NFPA and local fire code required placards.
 - iii) No smoking placards.
- g. Accessible fire extinguishers in the size and quantity determined by fire code.
- h. Access controls to prevent unauthorized access to the tanks, piping, connecting points and any other location that would allow the removal of fuel, introduction of contaminants, or causation of spills.
- i. Lighting adequate for drive by inspections to identify potential hazards or unauthorized individuals.
- j. Drains allowing for routine inspection of fuel quality.
- k. Overfill prevention devices compliant with NFPA or local fire code requirements.
- l. Dispensing meter allowing for the measurement of fuel transferred to a portable storage device, refueling vehicle or aircraft.



VI. Violations of Minimum Standards, Penalties

A. CEASE AND DESIST ORDER

1. In addition to any other rights the Airport Authority has under these Minimum Standards, Agreements, and other applicable laws, the Director may order any person to cease and desist any activities or conduct violating any provision of these Minimum Standards or any of the provisions of law incorporated by reference in these Minimum Standards, or if the Director determines that such activities or conduct threaten the safety of persons at the Airport, endangers persons or property, or interferes with the safe and proper operation of the Airport.
2. Such cease-and-desist order shall be in writing and set forth the violation/conduct or activity ordered to be ceased, the name of the person found to be in violation, and the provision of these Minimum Standards or other applicable laws violated by the subject conduct. The cease-and-desist order shall be hand-delivered or sent by certified mail to the last known address of the person found to be in violation.

B. REMOVAL FROM AIRPORT, FINES AND PENALTIES, TERM OF AGREEMENT

1. Any person who fails to comply with a cease-and-desist order, as described in Section A, shall be in violation of these Minimum Standards.
2. The Director may order such person removed from the Airport. An order of removal from the Airport shall be issued by the Director and written orders may be hand delivered or sent by certified mail to the person's last known address. Such orders shall set forth the reasons and time for such removal.
3. Any duly authorized Law Enforcement Officer may enforce and carry out such removal order.
4. A Law Enforcement Officer may remove any person who enters any restricted-access area in violation of these Minimum Standards and such persons shall be subject to arrest, conviction and penalties provided for under Law.
5. Except as otherwise expressly provided in these Minimum Standards or Law, every person who shall violate any provision of these Minimum Standards or any of the provisions of Law incorporated herein shall be punishable by a fine of five hundred dollars (\$500) per occurrence or per day of violation in addition to any other penalty provided by Law and as stipulated in the agreement.



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6. If any operator at the Airport or any of its directors, officers, employees, customers, agents, or others operating in its name fail to comply with these Minimum Standards or procedures defined the Agreement, the Authority may suspend the operator's right to operate at the Airport.
 - a. For the first infraction within a thirty-six (36) month period, such suspension shall be for up to 24 hours.
 - b. For a second infraction within a 36-month period, such suspension shall be for up to seven (7) days.
 - c. For a third infraction within a 36-month period, the Authority may bar the operator from operating at the Airport for up to one year.
 - d. For any subsequent infractions within a thirty-six (36) month period, the Authority may permanently bar the operator from operating at the Airport.
 - e. The Director maintains the right to override these penalties and enforce, at their sole discretion, a directive barring the operator from the airport for any term.

7. If any operator at the Airport or any of its directors, officers, employees, customers, agents, or others operating in its name fail to comply with the FAA or TSA requirements, any fines incurred by the Airport shall be payable by the operator.

C. VIOLATION HEARING

1. First Review
 - a. A person may submit, within twenty-one (21) calendar days of the receipt of any order, fine, penalty, or decision described in these Minimum Standards or the agreement, a written request for review to the Deputy Director.
 - b. Such request shall be sent by certified mail, must be in writing, and shall specify all reasons why the order, fine, penalty, agreement denial, or decision, should be rescinded, changed, or modified.
 - c. Within twenty-one (21) days of receipt of the request for review, the Deputy Director shall send a written decision by certified mail to the person requesting such review.

2. Second Review
 - a. The decision by the Deputy Director is final, unless within ten (10) days from the decision, the person requests in writing, by certified mail, that a hearing be held on the matter.



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- b. Within ten (10) days of receipt of such request, the Deputy Director shall give the person written notice by certified mail of the appointment of a Hearing Officer, who shall be appointed by the Authority Chairman but shall not be the Executive or Deputy Director. Thereafter, the Hearing Officer shall send a written notice of the hearing to the requesting party and to the Deputy Director.
- c. At any such hearing, the requesting party and the Deputy Director or Authority staff may attend and give testimony and present evidence, may conduct examination of witnesses, and may be represented by counsel.
- d. Costs of transcription of any testimony taken shall be borne by the person requesting the transcript. Costs for legal counsel shall be borne by the party represented.

3. Final Review

- a. The Hearing Officer's decision shall be final, unless within ten (10) days after receipt by certified mail of the Hearing Officer's decision, a person submits a written appeal to the Executive Director.
- b. There shall be no further evidence presented and only the written record shall be available to the Executive Director, who shall decide on the matter.
- c. The Executive Director shall give the parties written notice by certified mail of this decision.
- d. The decision of the Executive Director is final.

D. REMOVAL OF PROPERTY

1. A Law Enforcement Officer may remove or cause to be removed from any Restricted Area, any roadway or right-of-way, or any other unauthorized area or structure at the Airport, any property which is disabled, abandoned or which creates an operations problem, nuisance or safety hazard or which otherwise is placed in an illegal, improper or unauthorized manner; including, without limitation, any structure which has not been authorized by the Authority or the Director pursuant to the Authority's policies and procedures.
2. Any such property may be removed or caused to be removed by the Law Enforcement Officer to an official impound area or other area designated by the Director.
3. Any property impounded by the Authority under this section shall be released to the owner or operator thereof, upon proper identification of the property, provided that the person claiming it pays any towing, removal or storage charges and any other accrued fees.



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4. The Authority shall not be liable for any damage which may be caused to the property or loss in value which may be caused by the act of removal.
5. Any such property that is not claimed within thirty (30) days may be deemed abandoned and disposed of in accordance with applicable laws.



Appendix A Minimum Insurance Requirements

<u>Work Performed</u>	<u>Commercial General Liability</u> <i>Combined Single Limit.</i>	<u>Passenger Liability</u> ¹ <i>Each Occurrence</i>	<u>Hangar Keepers</u> ² <i>Aircraft Served</i>
Fixed Base Operator:	\$20 million Single \$50 million Aggregate	Not Required	\$20 million
A&P repair:	Non-Turbine - \$2 million Turbine \$5 million	Not Required	Non-Turbine: \$2 million Turbine: \$5 million
Aircraft Rental and Sales	\$2 million	\$1 million	Non- Turbine: \$2 million Turbine: \$5 million
Flight Training	\$2 million	\$1 million	Non-Turbine: \$2 million Turbine: \$5 million
Air Charter/ Air Ambulance	\$2 million	Non-Turbine- \$2 million Turbine- \$5 million	Non-Turbine: \$2 million Turbine: \$5 million
Avionics, Inst., or Prop. Service	Non-Turbine - \$2 million Turbine \$5 million	Not Required	Non-Turbine: \$2 million Turbine: \$5 million
Other Comm. Flt Services	\$2 million	As required	Non-Turbine: \$ 2million Turbine: \$5 million
Aircraft Storage- Commercial	\$2 million	Not Required	Non- Turbine: \$1 million Turbine: \$2 million
Aircraft Storage-Non Comm	\$500,000	Not Required	Not Required

1. Passenger liability coverage shall include no less than \$100,000 per person sub limit
2. Hangar Keepers policies shall meet the minimum of the stated amount or the highest value of any single aircraft accommodated

Automobile Liability:

Vehicles operated on General aviation aprons only: \$2 million combined single limit

Vehicles operated on Cargo apron, Passenger Terminal apron or runways/ taxiways: \$5 million combined single limit

Fueling Operations: (FBOs & Self Fuelers)

<u>Work Performed</u>	<u>General Liability</u> <i>Aggregate/ Each Occur</i>	<u>Mobile Fueler Liability</u> <i>Combined Single Limit</i>	<u>Environmental</u> <i>Aggregate/ Each Occur.</i>
Commercial Sales:	<i>FBO Minimums</i>	\$5 million	\$10 million/ \$5 million
Self-Fueling:	\$1 million/ \$500k	\$2 million	\$1 million/ \$500k