Compliance Tips For Everyone

✓ Read the Grant Assurances...13 pages of easy reading
✓ Establish Airport Rules and Regulations, and Minimum Standards
✓ Part 139 Certificated airports must be especially vigilant (risk of civil penalty)
✓ When you have a question or problem, ask FAA for advice
Top 10 Compliance Mistakes: Number 10

✓ Residential Through-The-Fence (RTTF)
  • CGL 2013-01 issued July 16, 2013
  • Airports with certified existing RTTF, were notified via letter of requirements contained in P.L. 112-95
  • Airports must submit evidence of compliance to the ADO/SBG by April 1, 2014

Best Advice: Say NO to RTTF!

Want an Airport Residence?

Florida Airport Homes
Top 10 Compliance Mistakes: Number 9

✓ Preventing Aircraft Operators conducting Self Service
  – Grant Assurance 22 f. requires sponsors to allow aircraft operators to “self service”
  – Sponsors can impose reasonable restrictions

Best Advice: Address self service rules in airport Rules and Regulations

Top 10 Compliance Mistakes: Number 8

✓ Using AIP-funded Development/Equipment for unintended purposes
  – Equipment (ARFF and Snow Removal) must be used for airport only!
  – Facilities constructed for aircraft use must remain available for aircraft (not autos, restaurants, etc.)

Best Advice: Say NO to use of airport equipment off-site, or use of AIP development for other purposes
Top 10 Compliance Mistakes: Number 7

✓ Transfer of Airport Ownership
  – Any change in airport ownership must have FAA approval
  – FAA must approve new owner to be an eligible sponsor
  – Transfer requires documentation by all parties of the change in responsibility

Best Advice: FAA has sample documents for transfer. Coordinate with the ADO!

Top 10 Compliance Mistakes: Number 6

✓ Mineral Extraction on Airport Property
  – This is the subject of another presentation by Matt DiGuilian, Beckley Office

Best Advice: Pay attention to Matt’s presentation
Top 10 Compliance Mistakes: Number 5

✓ Maintain the airport in a safe and serviceable condition at all times (Grant Assurance 19)
  – Airport closure for non-aeronautical purpose requires prior FAA approval!
  – Maintain the airport means clearing obstructions, filling cracks, repainting pavement, etc.

Best Advice: Keep car races and ‘fun runs’ off the airport! (Say NO!)

‘Top Gear’ is not on your airport
Top 10 Compliance Mistakes: Number 4

- **Economic Nondiscrimination (Assurance 22)**
  - Airport must be available to all types and classes of aeronautical activity
  - All air carriers shall be subject to the same rules, regulations, and comparable fee structure
  - All FBOs shall be subject to the same rules and rates
  - Sponsor may establish rules, regulations and minimum standards with reasonable restrictions

  **Best Advice: Establish Rules/Regs and Minimum Standards**

Top 10 Compliance Mistakes: Number 3

- **Release of Dedicated Airport Property (Assurance 5 b.)**
  - Sponsors cannot release any airport property without written FAA concurrence
  - Conditions for release depend on how the land was acquired (See FAA land release rules of thumb)
  - Keep the Airport Property Map/Exhibit A up-to-date at all times!

  **Best Advice: Coordinate with ADO early if considering an airport land release**
Top 10 Compliance Mistakes: Number 2

✓ Hazard Removal/Mitigation (Assurance 20) and Compatible Land Use (Assurance 21)
  – Airports must keep approaches clear (the 20:1 visual segment is impacting hundreds of airports nationwide)
  – Airports must zone to prevent incompatible land uses
  – The new RPZ policy will hurt airports that have not zoned and protected around their airport

Best Advice: Acquire the land to protect your airport...zoning is not reliable

Top 10 Compliance Mistakes: Number 1

✓ Airport Revenue Use (Assurance 25 and the Revenue Use Policy)
  – All revenue generated on an airport must remain on the airport for and used airport purposes
  – This requirement includes minerals extracted
  – Any airport land leased for non-aeronautical uses must be fair market rate and remain in the airport
  – Look for upcoming FAA guidance on non-aeronautical use of hangars

Advice: If this is a problem, let FAA be the ‘bad guy’ with local officials
Consultants and States Play an Important Role!

✓ Consultants and State officials can advise sponsors and help them stay off of the FAA ‘bad list’

• Remind sponsors of the grant compliance issue
• Ask the sponsor “could that decision run counter to your AIP grant obligations?”
• Recommend that sponsors coordinate issues with their ADO

Best Advice: Keeping sponsors out of FAA compliance jail keeps projects moving forward

References:

• Airport Grant Assurance (with each grant)
• FAA Compliance Handbook, Order 5190.6
• Airport Revenue Use Policy
• Compliance Guidance Letters - CGLs (www.faa.gov/airports/airport_compliance)
• Land Release Rules of Thumb
Questions?