Federal Aviation Administration

# Memorandum

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To: Office of Airports Regional Directors, AXX-600s
Regional Airports Planning and Programming, AXX-610s
Airports District Office Managers, XXX-ADOs

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From: Danielle J. Rinsler, Director, Airport Planning and Programming, APP-1

Subject: Reauthorization Program Guidance Letter (R-PGL) 25-08: Alaska and Other Non-contiguous States and Territories

This Reauthorization Program Guidance Letter (R-PGL) 25-08 explains and implements provisions in the FAA Reauthorization Act of 2024 (the 2024 Act) (P.L. 118-63), which amend and expand Airport Improvement Program (AIP) funding eligibility for various project costs in Alaska and other non-contiguous states and territories. This R-PGL is directed to Office of Airport's staff for the purpose of helping them implement statutory changes. This R-PGL is not legally binding in its own right and will not be relied upon by the FAA as a separate basis for affirmative enforcement action or other administrative penalty. The FAA will update FAA Order 5100.38D, Change 1, *Airport Improvement Program (AIP) Handbook*, to reflect these statutory changes.

Please be advised that unless expressly noted below, Infrastructure Investment and Jobs Act (IIJA) eligibility is generally broader than and more inclusive than AIP eligibility. All other applicable Federal statutes, regulations, Executive Orders, policy, and guidance apply unless expressly provided for otherwise in this R-PGL. For all planning and programming purposes, including System of Airports Reporting (SOAR) actions, refer to the latest internal Regional Implementation Guidance issued by APP-500.

This R-PGL addresses the following specific provisions:

| Bill Section | Topic | 49 USC Section(s) Impacted |
|---|---|---|
| 342(a) | Don Young Alaska Aviation Safety Initiative (also applies to Hawaii and U.S. territories) | § 44745 |
| 342(d) and 733(b) | Runway Projects in Alaska | Does not amend 49 U.S.C. |
| 702(2)(B)(i) | Fuel Infrastructure for Snow Removal Equipment in Alaska | § 47102 |

| Bill Section | Topic | 49 USC Section(s) Impacted |
|---|---|---|
| 733(b) | AIP Handbook Exceptions for the State of Alaska | Does not amend 49 U.S.C |

**Section 342(a), Don Young Alaska Aviation Safety Initiative (also applies to Hawaii and U.S. territories)**

Subsection 342(a) amends Chapter 471 of Title 49, U.S. Code, by adding subsection 44745 titled the *Don Young Alaska Aviation Safety Initiative* (DYAASI). DYAASI is intended to improve aviation safety in Alaska and other "covered locations" that include Hawaii and U.S. territories (Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands). This subsection allows certain AIP funds to be used at a "covered airport", which means an airport in a covered location and in the most recent National Plan of Integrated Airport Systems that is not categorized an unclassified airport type.

DYAASI involves various FAA Lines of Business and Staff Offices including the Office of Aviation Safety (AVS), the Air Traffic Organization (ATO), the Alaskan Office of the Regional Administrator, and the Office of Airports (ARP). This R-PGL provides guidance to ARP field offices in implementing provisions that inform project eligibility, project scope, or funding as authorized under this subsection.

**Implementation for Field Offices**

*DYAASI Funding*

In addition to authorizing funds from the Facilities & Equipment funds (ARP does not administer these funds), DYAASI authorizes funding each year through Fiscal Year (FY) 2028 in the following manner:

- A sponsor of a covered airport may request general aviation entitlement and/or Alaska Supplemental funding; and

- The FAA may carry out initiatives using State Apportionment and/or Alaska Supplemental funding.

Also, sponsor requested funds would follow regular AIP program rules. FAA administered funds may be carried out upon application from the government with jurisdiction over a covered airport and in coordination with the State or territory in which a covered airport is located. Regional guidance on implementation of DYAASI, for matters unrelated to AIP, will be published by the Alaska Regional Administrator's Office.

*Allowable DYAASI Costs*

DYAASI provides direction on multiple types of ground-based equipment to be installed under this initiative: automated weather systems, weather cameras, and Automatic Dependent Surveillance-Broadcast (ADS-B) ground stations.

*Covered Automated Weather Systems*

DYAASI directs the FAA to ensure, to the greatest extent practicable, that each covered airport has an installed, operating, and reliable automated weather system by December 31, 2030, to observe real-time weather. Eligible automated weather systems are those approved in operational specifications for use by 14 CFR Part 121 and 135 aircraft operators. R-PGL 25-06, *Planning and Project Eligibility*, contains the latest guidance regarding Automated Weather Observation Systems (AWOS) eligibility and requirements for transferring such equipment to the ATO. Airport sponsors may use allowable grant funds to purchase such systems. As allowed by 49 U.S.C. § 44745, covered automated weather systems do not require a benefit cost analysis.

Visual Weather Observation Systems (VWOS) will be eligible once implementing operational specifications are available. However, 49 U.S.C. § 44745 has no provisions for the transfer of VWOS to the FAA for operation and maintenance.

*Weather Cameras*

AIP funds may be used for the procurement of weather cameras installed on airport property that meet current technical specifications as available from ATO's Weather Camera Program (WCAM). However, 49 U.S.C. §§ 44502(e) and 44745 have no provisions for the transfer of non-federal weather cameras to the FAA for operation and maintenance. As allowed by 49 U.S.C. § 44745, covered weather cameras do not require a benefit cost analysis.

*Automatic Dependent Surveillance–Broadcast (ADS-B) Ground Stations*

ADS-B is an ATO-managed surveillance system. An airport sponsor can execute a third-party agreement with FAA's ADS-B vendor to install additional ADS-B ground stations and connect to air traffic control facilities. However, the airport sponsor cannot transfer operations and maintenance to the FAA under 49 U.S.C. §§ 44502(e) or 44745. Any requests to use AIP funds for an FAA initiative such as expanded ADS-B surveillance must be approved by APP-1.

## **Section 342(d) and 733(b), Runway Projects in Alaska**

Sections 342(d) and 733(b) both address funding for runway projects in the State of Alaska. Section 342(d) prohibits the FAA from restricting funding certain projects for existing runways as well as certain runway expansions. Section 733(b) allows the FAA to establish an exception to the AIP Handbook regarding funding for certain projects for existing runways. Because these two provisions significantly overlap in scope, this section of the R-PGL provides one unified set of guidance.

## Implementation for Field Offices

*Rehabilitation and Reconstruction of Existing Runways*

When considering sponsor requests for rehabilitation, resurfacing, or reconstruction of the full length and width of existing runways in the State of Alaska, the runway must be an eligible and justified primary, crosswind, secondary type as identified in Appendix G of the AIP Handbook, or legacy crosswind as defined in R-PGL 25-01, *Runway Projects*. Additional runways are ineligible.

AIP funding for an existing runway may not be prorated to a lesser runway length or width based solely on the needs of the existing or future critical aircraft with regular use. Instead, determine the runway length needed for one more of the following applicable conditions:

- Arrival runway length and width needed by aircraft to deliver necessary cargo, including heating fuel and gasoline, to the community served by the airport;

- Takeoff runway length and width needed by aircraft to ship necessary cargo such as fish hauls to market;

- Takeoff or landing length needed for aeromedical aircraft for patient pickup and transport; or

- Takeoff or landing length needed for firefighting aircraft from Alaska Department of Natural Resources bases with stored retardant.

The Regional Office (RO)/Airports District Office (ADO) may fund projects to rehabilitate, resurface, or reconstruct the existing length and width of the primary runway provided there is actual, occasional use of the runway by aircraft warranting the recommended runway dimensions and pavement strength. In doing so, the RO/ADO should coordinate with the State of Alaska to improve deficient runway safety areas (RSAs) to more fully meet safety standards.

However, if the primary runway is substantively longer or wider than needed by any current or future known user, then the RO/ADO evaluates the rehabilitation or reconstruction proposal more critically in collaboration with the sponsor in the interest of cost effectiveness and affordability. In such cases, improvements to deficient RSAs are recommended to have a higher priority for funding than rehabilitation, resurfacing, or reconstruction of the runway at current dimensions.

Rehabilitation or reconstruction proposals for crosswind and secondary runways are evaluated primarily in reference to the needs of the critical aircraft using the runway, so long as the primary runway has sufficient length for aircraft that use it occasionally. Legacy crosswind runways are addressed in R-PGL 25-01.

In accordance with Section 342(d), the FAA will complete its review of sponsor requests for rehabilitation and reconstruction of existing runways within 60 days of receiving all necessary and complete documentation.

In SOAR, document the use of Section 342(d) in Runway Remarks. The critical aircraft remains that determined using Advisory Circular (AC) 150/5000-17, *Critical Aircraft and Regular Use Determination.*

**Implementation for Field Offices**

*Runway Expansion needed for economic development*

Any economic development needs must be demonstrated by the sponsor to have a direct, tangible need for aircraft operations that warrant a longer, wider, or higher strength runway in connection to local business entities that actively use the airport. Any request for a runway expansion under this section must be approved by APP-400 based on the following information:

- The estimated number of operations by aircraft type that cannot be fully accommodated on the existing runway and under what conditions they cannot be accommodated (e.g., density altitude, payload needs including cargo such as fish hauls, runway condition);

- Letters of intent from one or more businesses operating at or proximate to the airport that detail the quantifiable benefits of the expanded runway (e.g., new aircraft operations, number of jobs);

- Complete planning to demonstrate that the expanded runway will serve aircraft performance needs using AC 150/5325-4, *Runway Length Requirements for Airport Design*, and in consideration of one-engine inoperative obstacle clearance as applicable; and

- Any other quantitative and directly attributed qualitative information related to how the runway extension would improve local economic development.

**Section 702(2)(B)(i), Fuel Infrastructure for Snow Removal Equipment in Alaska**

Section 702(2)(B)(i) amends 49 U.S.C. § 47102(3)(B)(iii), by establishing eligibility for fuel infrastructure for snow removal equipment in Alaska.

Table C-2 of the AIP Handbook, *Examples of Prohibited Projects/Costs for Construction,* indicates that non-aircraft fueling facilities are not eligible. Section 702(2)(B)(i) creates an exception to this general prohibition to allow fuel infrastructure in Alaska when used for snow removal equipment (SRE).

**Implementation for Field Offices**

Eligible fuel infrastructure adheres to the following:

- The fuel infrastructure is owned by the sponsor and only used to fuel airport-owned SRE;

- The facility must meet the requirements of 40 Code of Federal Regulations Section

112.8, *Spill Prevention, Control, and Countermeasure Plan Requirements for On-Shore Facilities* (excluding production facilities); and

- The ADO must ensure that the proper environmental permits have been obtained.

Since the fuel infrastructure made eligible is not expected to generate revenue, it is not subject to the same requirements as fuel farms that generally follow the revenue-producing aeronautical support facility rules in the AIP Handbook. Therefore, eligibility for these systems is not limited to primary or Military Airport Program airports and funding is not limited to nonprimary entitlements (all entitlement and discretionary funding is allowable). There is also no requirement to increase the revenue producing ability of the airport or to demonstrate that all airfield needs have been accommodated.

## Section 733(b), AIP Handbook Exceptions for the State of Alaska

Section 733(b) requires the FAA to consult with the Governor of Alaska to identify and incorporate reasonable exceptions to the general requirements of the AIP Handbook to meet the unique circumstances and advance the safety needs of airports in Alaska. Specifically, this section requires these exceptions to include the following:

1. SRE buildings;
2. Expansion of airport lease areas (i.e., lease lots);
3. Shared governmental use of airport equipment and facilities in remote locations;
4. Legacy Runway resurfacing or reconstruction;
5. Runway End Identifier Lights (REILs);

In addition, through coordination with the State of Alaska, FAA is including clarifications related to:

6. Crack sealing and runway markings; and
7. Airport equipment eligibility.

### Implementation for Field Offices

*1. Snow Removal Equipment Building (SREB) Size and Configuration*

In determining the allowable size of an SREB, the sponsor must submit the calculations of allowable snow removal equipment as established within Advisory Circular (AC) 150/5220-20A, *Airport Snow and Ice Control Equipment* to the ADO. The ADO has the option (on a case-by-case basis) to approve additional equipment storage requirements above that defined by the advisory circular. If the ADO has received an acceptable justification from the sponsor, the ADO may approve a SREB that is adequately sized to accommodate additional snow removal equipment at

the airport. In accordance with Table O-3 of the AIP Handbook, *Other Building Project Requirements*, a new SREB may be programmed with sizing and configuration based on approved SREB dimensions budgeted within the next five years.

A maintenance bay is an eligible area and a SREB may also be configured to house ancillary support equipment directly related to the control of ice and snow and for the maintenance of SRE. SREBs are intended to house eligible snow removal equipment and, if in remote areas of Alaska and with approval by AAL-600, may also include short-term/temporary employee sleeping quarters and space necessary to coordinate snow removal operations. Additional areas such as permanent or long-term employee lodging, public-use areas, conference rooms, training space, wash bays, or any other area(s) not directly related to the storage and maintenance of the eligible equipment remain ineligible.

*2. Expansion of Airport Lease Lots in Alaska*

The AIP funds airport development that supports public-use aeronautical facilities; it does not invest funding in development that is used exclusively by a single airport tenant. In Alaska it is often cost-prohibitive for tenants to accomplish basic site preparatory work that is required for an aeronautical support facility. Many airports in Alaska are unable to accommodate essential aeronautical service providers due to the high cost of construction often associated with the lack of local material or material hauling businesses. Therefore, it is reasonable for an airport sponsor in Alaska to perform basic lease lot site preparatory work in conjunction with a concurrent AIP-eligible development project (e.g., apron construction).

The proposed lease lot work must be in the direct vicinity of the AIP-funded project. The ADO may approve lease lot development contingent on the sponsor demonstrating that the lease lot is necessary to accommodate aeronautical need; furthermore, the sponsor must address the specific issues related to lack of building materials and/or the unreasonable costs of procuring, transporting, and placing the materials. Just as with any other AIP project, the aeronautical lease lot area must meet applicable environmental requirements under the National Environmental Policy Act and be shown/approved on the Airport Layout Plan.

The portion of the AIP funds allocated to the lease lot expansion must be proportional to the cost of its role in supporting the concurrent AIP project. The ADO will determine the eligible costs for the expansion based on its contribution to the overall airport development.
AIP funds may not be used for non-aeronautical purposes or for lease lots that will primarily support commercial, non-airport-related functions. The expansion must directly benefit airport operations, safety, or capacity to qualify for funding. AIP funds may not be used for "build out" of lease lot areas.

*3. Shared Governmental Use of Airport Equipment & Facilities in Remote Locations*

Pursuant to Subchapter 471 of 49 U.S.C., all airport equipment and facilities acquired and constructed are for the exclusive use of the airport. The ADO may approve the off-airport use of snow removal equipment at airports in remote locations on a case-by-basis (e.g., during a significant weather event), so long as there are no impacts on normal airport operations.

*4. Legacy Runway Resurfacing or Reconstruction*

See the *Runway Projects in Alaska* section above in this R-PGL.

*5. Runway End Identifier Lights (REILs)*

REILs remain AIP-eligible per Table K-2 of the AIP Handbook, *NAVAID and Weather Reporting Equipment Projects Requirement*. The use of REILs to help pilots positively identify the runway's approach end, especially during low visibility or at nighttime in areas without proximate light interference, is permitted. Sponsors may not transfer REILs to the FAA per 49 U.S.C. § 44502(e).

6. *Crack Sealing and Runway Markings*

With approval by AAL-600, annual crack sealing and runway markings work at 14 CFR Part 139 certificated airports in Alaska are eligible expenses, as needed to support compliance with FAA safety regulations under 14 CFR Part 139.311 to maintain operational safety and to reduce long-term maintenance costs by preserving pavement integrity.

7. *Airport Equipment Eligibility.*

With approval by AAL-600, the purchase of motor graders and bulldozers may be an eligible expense for use on airports as needed for Alaska's weather conditions, terrain, and unique operational challenges in order to maintain safe and accessible airports year-round.