

# Airport Compliance

## What's New & What's Revised

Presented to: 2006 Northwest Mountain Region  
Airport Conference

By: Paul Johnson, Compliance Specialist, SEA  
ADO

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Federal Aviation  
Administration



# Agenda

- **Land Use Compliance Inspections – Paul Johnson, Compliance Specialist, SEA ADO**
- **National Update – Kevin Willis, Compliance Officer, AAS-400**
  - National trends in Land Use Compliance Issues
  - Recent Part 16 Decisions
  - Land Acquisition & Relocation Assistance for AIP Projects, Revised FAA Order 5100.37B and AC 150/5100-17



# Why Land Use Compliance Reviews



# The Political Reasons

- **1999 United States General Accounting Office (GAO) report titled “General Aviation Airports: Unauthorized Land Use Highlights Need for Improved Oversight and Enforcement” (GAO/RCED-99-109).**
- **Reviewed use of airport land at several general aviation airports and found:**



# Land Use Compliance Grant Assurances

- Assurance No.4 “Good Title”,
- Assurance No.29 “Current ALP”,
- Assurance No. 21 “Compatible Land Use”,
- Assurance No. 31 “Disposal of Land”.



# Resolution to GAO Report

- **FAA agreed to conduct 18 land use compliance reviews annually. (2 per region)**
- **Data is compiled into an annual "*Land Use Compliance Report*," under the requirements of 49 USC § 47131.**
- **This report is available for congressional review**



# ANM Airports Reviewed

- **2002**
  - Bellingham International, WA
  - McAllister Field, Yakima, WA
- **2003**
  - Albany Municipal, OR
  - Hood River, OR
  - Newport Municipal, OR
  - Astoria Regional, OR
- **2004**
  - Jeffco, CO
  - Ogden-Hinkley, UT
  - Christmas Valley, OR
- **2005**
  - Sheridan County, WY
  - Durango-La Plata County, CO
- **2006**
  - Townsend, MT
  - Ravalli County, Hamilton, MT
- **2007**
  - an airport near you.



# Elements of a Review

- **Pre-Inspection**

- Request a lease log from sponsor
  - lessee name, lease rate, lease date, expiration date or term, size and type of leasehold.
- Review ADO land and compliance files
  - Obligating documents,
  - specific conveyance commitments
- ALP and Exhibit A
- Release documents



# Elements of a Review

- **On-Site Inspection**
  - Entrance meeting
    - Discuss purpose of review
    - Address questions raised by pre-inspection
    - Request copies of selected leases to review
  - Airport Tour
  - Review leases and other documentation
  - Exit meeting
    - Summarize the issues identified
    - Discuss how to resolve them
- **Closure Letter**
- **Annual Report**



# Issues Identified in ANM

## No Cost Leases

- City/County
  - In-kind benefits
  - Document and Track



Gravel Pit used by City without Lease or documentation of in-kind services (asphalt and paving labor)

# Issues Identified in ANM

## No Cost Leases

- City/County
  - In-kind benefits
  - Document and Track
- Federal Government
  - Renegotiate at lease renewal
  - Exception – FAA equipment



Unlike some airports, this one is charging the Forest Service FMV.

# Issues Identified in ANM

- **Less than FMV on non-aeronautical land**
- **ALP not conforming with release documents**
- **Differing lease rates for similar property**



Gun club has 5 acre lease, but only pays \$.07/sq ft on building space.

# Issues Identified in ANM

- **Hangers used for non-aeronautical purposes**
  - Revise Airport Rules and Regulations/Minimum Standards
  - Prohibit future leases



Motorhome/Camper Storage

Hangar Home



# Draft FY04 Compliance Report

- **Unauthorized Land Uses: 46 Airports**
  - Unauthorized conversion (land) to non-aeronautical uses
  - Disposed/leased w/o FAA approval
  - Disposed of land below FMV
  - Non Compatible Use- Residences, schools, drag racing development on airports



# Recommended Action for Non Cooperating Airports

- **No Discretionary Grants (49 USC 47115)**
- **No GA Apportionment Grants**



# QUESTIONS

