

CHANGE

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

**JO 7400.2N
CHG 3**

Air Traffic Organization Policy

Effective Date:
November 3, 2022

SUBJ: Procedures for Handling Airspace Matters

- 1. Purpose of This Change.** This change transmits revised pages to Federal Aviation Administration Order JO 7400.2N, Procedures for Handling Airspace Matters.
- 2. Audience.** This change applies to all Air Traffic Organization (ATO) personnel and anyone using ATO directives. This order also applies to all regional, service area, and field organizational elements involved in rulemaking and nonrulemaking actions associated with airspace allocation and utilization, obstruction evaluation, obstruction marking and lighting, airport airspace analysis, and the management of air navigation aids.
- 3. Where Can I Find This Change?** This change is available on the FAA website at http://faa.gov/air_traffic/publications and https://employees.faa.gov/tools_resources/orders_notices.
- 4. Explanation of Policy Change.** See the Explanation of Changes attachment that has editorial corrections and changes submitted through normal procedures.
- 5. Distribution.** This change is available online and will be distributed electronically to all offices that subscribe to receive email notification/access to it through the FAA website at http://faa.gov/air_traffic/publications.
- 6. Disposition of Transmittal.** Retain this transmittal until superseded by a new basic order.
- 7. Page Control Chart.** See the page control chart attachment.

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Explanation of Changes

Change 3

**Direct questions through appropriate facility/service center office staff
to the Office of Primary Interest (OPI).**

- a. 4-4-1. POLICY**
- 4-4-2. REQUEST FOR ESTABLISHMENT**
- 4-4-3. RESPONSIBILITY**
- 4-4-4. EXTERNAL COORDINATION**
- 4-4-5. INFORMAL AIRSPACE MEETING**
- 4-4-6. APPROVAL AND NOTIFICATION PROCESS**
- 4-4-7. DISTRIBUTION**

This change updates FAA Order JO 7400.2, Chapter 4, NAVAIDS, Section 4, Non-Federal NAVAIDS, to update organizational names and expand on the process and responsibilities associated with aeronautical studies for the establishment, replacement, and relocation of non-federal systems.

- b. 11-2-1. PROPOSALS**
- 11-4-1. EFFECT ON INSTRUMENT PROCEDURES**
- 11-4-2. CHANGE OF AIRPORT STATUS FROM VFR TO IFR**
- 11-4-3. EVALUATION OF INSTRUMENT RUNWAY DESIGNATION**
- 11-4-4. EVALUATION OF CONSTRUCTION SAFETY AND PHASING PLANS**
- 11-4-5. EVALUATION OF AIRPORT LAYOUT PLANS (ALP)**
- 12-1-5. STATEMENT IN DETERMINATIONS**

- 12-1-6. AIRPORT MASTER RECORD**
- 12-1-8. DISSEMINATION OF STUDY RESULTS**

This change removes reference to FAA Form 5010 and replaces it with the electronic Airport Data and Information Portal (ADIP) system. It also removes verbiage regarding providing a copy of the airspace determination to AAS-330 office which no longer exists. The change to paragraph 11-4-1 clarifies the roles and responsibilities of the Flight Procedures Team (FPT) and when coordination with the Obstacle Impact Team (OIT) may be required. Deletion of paragraph 11-4-2, Change of Airport Status From Visual Flight Rules (VFR) to Instrument Flight Rules (IFR), is due to outdated information and to address FPT roles and responsibilities under Part 157. The new paragraph provides information regarding FPT's review of Part 77 NRA aeronautical studies. The change to the existing text contained in paragraph 11-4-3 is more appropriate to the instrument flight procedure process and not NRA aeronautical reviews. The paragraph focuses on NRA studies submitted under Part 157.

c. Entire Publication

Additional editorial/format changes were made where necessary. Revision bars were not used because of the insignificant nature of these changes.

FAA Order JO 7400.2N
Change 3
Page Control Chart
November 3, 2022

REMOVE PAGES	DATED	INSERT PAGES	DATED
Table of Contents i through xix	5/19/22	Table of Contents i through xix	11/3/22
4-4-1 and 4-4-2	6/17/21	4-4-1 through 4-4-3	11/3/22
11-2-1	6/17/21	11-2-1	6/17/21
11-2-2 and 11-2-3	6/17/21	11-2-2 and 11-2-3	11/3/22
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Section 4. Non-Federal NAVAIDs

4-4-1. POLICY

For the purpose of this section, the term NAVAID is synonymous with Air Navigation Facility as defined in Title 49 of the United States Code (49 USC), Subtitle VII, Part A, Subpart I, Chapter 401, Section 40102, (a), (4). The FAA's role regarding non-federal systems is to assist sponsors proposing to establish, replace, or relocate such NAVAIDs by providing technical planning, minimum equipment and operational standards, and processing requirements for such proposals. This applies to system types identified in the Non-Federal Program, FAA Order 6700.20. The operation of non-federal facilities associated with the approval of Instrument Flight Rules (IFR) and air traffic control procedures must be in accordance with the minimum requirements set forth in Title 14 Code of Federal Regulations (CFR) Chapter I, Subchapter J, Part 171, titled "Non-Federal Navigation Facilities" and in FAA Order 6700.20. Title 14 CFR Part 171, outlines the minimum requirements non-federal facilities must meet in accordance with the authorities cited from Title 49 of the United States Code in Part 171.

4-4-2. REQUEST FOR ESTABLISHMENT

The sponsor requesting the establishment, replacement, or relocation of a non-federal system, as defined in Part 171 and FAA Order 6700.20, must submit a separate Form 7460 for each component of the system to ensure sufficient description. The following information should be provided:

- a. The site of the system using geographical coordinates to the nearest hundredth second, to include all components of the system, such as shelters, antennas, and other sensors.
- b. The facility ground elevation and height of the tallest part of the structure, to include obstruction lights or lightning rods.
- c. Facility information:
 1. Facility identification.
 2. Facility name.
 3. Facility type.
 4. Facility subtype.

5. Equipment manufacturer, make and model.

- d. Facility design drawings that show the proposed location. For systems located on an airfield, the sponsor must include: elevations of the entire airport property, annotations of support facilities (e.g., shelters, concrete pads, and structures), distances from the proposed system to the nearest point of the runway(s), and equipment profile.

- e. Pictures of the proposed location.

- f. Provide critical aircraft per AC 150/5000-17 that operates or will operate at the airport or runway end, as applicable.

- g. Identify any known siting criteria deviations.

- h. Any other pertinent information.

4-4-3. RESPONSIBILITY

Sponsors must submit requests for the establishment, replacement, or relocation of a non-federal system to the Non-Federal Program Implementation Manager (PIM) in the Service Center's Planning and Requirements Group for initial processing. The Non-Federal PIM will review the proposal to ensure it includes all necessary information and is accurate, then disseminate it to the appropriate offices for review via the OE/AAA system. In order to determine the outcome of the proposal within the required notice period, each office should forward the results of its evaluation within 45 days to the Non-Federal PIM for further processing. Areas of responsibility are delegated as follows:

- a. Service Center's Non-Federal PIM. The Service Center's Non-Federal PIM is responsible for the overall service area office coordination on behalf of the sponsor. The Non-Federal PIM will direct sponsors to the appropriate Advisory Circulars and Orders that provide information on the minimum equipment and operational performance standards, siting requirements, and the conditions prerequisite to use of the facility. Additionally, the Non-Federal PIM will:

1. Direct the sponsor to submit a frequency request, if applicable, to the Spectrum Engineering Services Group via FAA Frequency Coordination Request (FCR) Internet Portal at <https://webfcr.faa.gov/>.

2. Submit required aeronautical data to Aeronautical Information Services (AIS) using the appropriate AIS System Data Form (e.g., 7900–2 Navigational Aids, 7900–5 Weather, 7900–6 Instrument Landing Systems, etc.) via the Aeronautical Information Portal at <https://nfdc.faa.gov/nfdcApps/>.

3. Assist the sponsor on the process for submitting an aeronautical study request.

4. Coordinate with the sponsor to submit any additional information needed for the aeronautical study.

5. If applicable, direct the sponsor when to submit their request for an instrument flight procedure (IFP) via the Instrument Flight Procedures Information Gateway website at https://www.faa.gov/air_traffic/flight_info/aeronav/procedures/ifp_form/.

6. If applicable, advise the sponsor of the process for scheduling a commissioning flight and ground inspection.

7. Provide the appropriate air traffic and technical operations offices the results of the aeronautical study.

b. Air Traffic. The appropriate air traffic control facility will examine the proposal and provide comments regarding utilization of the airspace, aeronautical operations, and air traffic control procedures.

c. Airports Division. The appropriate Airport District Office (ADO)/Regional Office will evaluate the proposal for impacts to airports. The ADO/Regional Office will:

1. Evaluate the proposal in reference to existing and planned airport development on file with the agency.

2. Evaluate the proposal for compliance with applicable airport design surfaces and standards.

d. Flight Standards. The Flight Technologies and Procedures Division (FTPD) is the focal point for studying the effect of the proposed non–federal system with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

e. Flight Procedures Team (FPT). The appropriate service area is the focal point for studying the effect

of the proposed non–federal system on existing or proposed IFR flight procedures. In developing IFR procedures, FPT personnel will:

1. Determine whether their respective requirements outlined in Part 171 and Order 8260.3, United States Standard for Terminal Instrument Procedures (TERPS), have been satisfied.

2. Initiating development of required IFR procedures.

3. Identify new IFP development requirements and impacts to existing/proposed FAA instrument flight procedures in accordance with FAA Order 8260.43, Flight Procedures Management Program. Non–FAA service providers are responsible for their procedures.

f. Technical Operations Spectrum Engineering Group, Spectrum Assignment and Engineering Team. Evaluates the proposal to determine frequency availability, potential frequency interference effects on existing/planned navigational aids, and possible electromagnetic interference to radio communications frequencies. These tasks include:

1. Validate frequency assignments with the Federal Communications Commission (FCC).

2. Provide the sponsor with the Non–Government Tracking Number (NGT#) for their FCC application to affirm coordination with the FAA.

3. Provide the frequency assigned to the Non–Federal PIM.

g. Technical Operations/Operations Engineering Support Group. Evaluates the proposal to determine if the project meets the FAA's required siting criteria for the specific system type. These tasks include:

1. Provide comments pertaining to the proposal to ensure the project meets proper siting criteria. See the most recent version of FAA Order 6700.20 for systems without FAA equivalency.

2. Coordinate sponsor identified siting criteria deviations with the applicable Second–Level Engineering Office as appropriate.

3. Review proposal for impacts to other NAS facilities and provide comments.

h. Other applicable FAA offices or services may be requested to provide an evaluation of the proposal on a case–by–case basis.

4-4-4. EXTERNAL COORDINATION

The appropriate service area office will circularize the proposal in accordance with FAA Order JO 7400.2, Chapter 11, Evaluating Aeronautical Effect, Section 2, Processing of Airport Proposal By Regional Airports Offices or Section 4, Processing of Airport Proposals by Operations Support Group (whichever applies) of this order.

4-4-5. COMPLETION AND NOTIFICATION PROCESS

The Non-Federal PIM will prepare a determination letter based upon the results of the study, which will include any comments received from the appropriate

offices. The determination letter will identify if there are any objections; it does not give approval for the project to proceed. The Non-Federal PIM must then forward the determination letter to the sponsor. Upon completing other processes outlined in FAA Order 6700.20, the Non-Federal PIM will communicate to the sponsor whether the FAA will approve or disapprove the project.

4-4-6. AERONAUTICAL STUDY RETENTION AND ARCHIVING

The Non-Federal PIM will store copies of the determination issued to the sponsor for future retrieval and make them available upon request.

Section 2. Processing of Airport Proposals By Regional Airports Offices

11-2-1. PROPOSALS

Airport proposals received by any FAA office must be forwarded to the appropriate Airports Office for initial processing and study.

NOTE-

Notification under Part 157 is not required for projects on Federally-assisted airports.

a. General. The Airports Office, after receipt of a proposal, will check the information submitted for correctness, clarity, completeness, and proper detail. The Airports office will verify critical data or require proponents to verify any data deemed critical. The proponent may need to be contacted if insufficient information is submitted or if significant errors appear in the submission. The Airports Office must maintain a record by list, map, or other method so that the status of new proposals may be easily correlated with existing airports, airports under construction, or other airport proposals.

b. Establishment of New Airports. Initial review concerning the proposed construction of new airports must include but is not limited to the following:

1. Determining conformance of the proposal with agency design criteria.

2. Identifying the objects that exceed the obstruction criteria of Part 77.

3. Anticipating the operational use of the airport, including the number and type of aeronautical operations and the number of based aircraft.

4. Ascertaining whether the airport is for private or public use.

5. Identifying runway and taxiway layout in relation to compass rose data, existing or proposed obstructions, or other airports.

6. Identifying known or anticipated controversial aspects of the proposal.

7. Identifying potential noise aspects.

8. Identifying possible conflict with airport improvement and/or development or other agency plans. The Airports Division, in the NRA proposal processing, will identify all seaplane bases that may

be impacted by Part 157 proposals or other development on public use airports. If the airspace study reveals that a seaplane base is adversely impacted, the Airports Division will notify the seaplane base owner of the NRA proposal and the potential conflict.

9. Obtaining runway threshold coordinates and elevations.

c. Alteration of Existing Airports – The nature and magnitude of an existing airport alteration will determine the extent of processing and analysis required. Alteration, such as new runway construction, runway realignment projects, runway extension; runway upgrading, change in status, such as VFR to IFR use, and widening of runways or taxiway/ramp areas normally require the same type of processing and study as that required for new airport construction proposals.

d. Deactivation and Abandonment of Airports:

1. Airport owners/sponsors are required to notify the FAA concerning the deactivation, discontinued use, or abandonment of an airport, runway, landing strip, or associated taxiway. On partial or specific runway deactivation proposals, a description with a sketch or layout plan and the anticipated operational changes should be forwarded together with any other pertinent information needed to update agency records.

2. When it is believed that an airport is abandoned or unreported and appropriate notification has not been received, the Airports Office, after making a reasonable effort to obtain such notification, must advise the air traffic office of the situation by memorandum. The memorandum should contain a statement that the airport is considered either abandoned or unreported. Forward a copy of the memorandum to the airport owner or sponsor, to AIS and to the Airport Safety Data Branch, AAS-330.

e. Construction safety plans are received as appropriate for Airport Improvement Program requests for aid and the Airports Regional Capital Improvement Program.

f. Other Airport Notices – Occasionally, an airport owner/sponsor will make alterations or changes to

the airport without filing notice in accordance with Part 157. Generally, this information will be obtained through the Airport Data and Information Portal (ADIP) and after the fact at <https://adip.faa.gov/agis/public>. From a legal standpoint, this constitutes notice to the FAA and appropriate action is necessary. The Airports Office must initiate a study of such information received in the same manner as if the notice had been received under Part 157 requirements.

11-2-2. AIRPORT LAYOUT PLANS (ALP)

ALPs generally show the location, character, dimensions, details of the airport, and the work to be done. The extent of information needed for any specific airport development will vary depending on the scope and character of the project, plus the anticipated role and category of the airport. Detailed information on the development of ALPs is contained in AC 150/5070-6, Airport Master Plans, and AC 150/5300-13, Airport Design.

a. Non-Federally Assisted Airports. Airports personnel will take into consideration an ALP or plan on file in developing a determination with reference to the safe and efficient use of airspace.

b. Federally Assisted Airports. Projects at Federally assisted airports require review based on considerations relating to the safe and efficient utilization of airspace, factors affecting the control of air traffic, conformance with FAA design criteria, and Federal grant assurances or conditions of a Federal property conveyance. The product of this review is derived from analysis of information supplied in the ALP. A formal or tentative determination may be given depending on the complexity of the proposal or the timing of the request. The review and subsequent determination must be made as expeditiously as possible to facilitate processing of the project request. Normally a project is not placed under grant nor Federal property conveyed until a favorable determination is made and the ALP approved.

c. Extent of Review. A review is normally required for all proposals involving new construction or relocation of runways, taxiways, ramp areas, holding or run-up apron projects, airport and runway lighting and marking, fire and rescue building locations, and other projects affecting, or potentially affecting, the movement of aircraft. At all public-use

airports, projects which conform to a previously approved non-objectionable airport layout plan for the construction or resurfacing of existing airport paving, site preparation work, or paving to overlie existing unpaved landing strips may be omitted from the normal review process. For an airport that has a construction safety plan, the plan needs to undergo the review process with appropriate FAA offices (see AC 150/5370-2, Operational Safety On Airports During Construction).

11-2-3. NON-PART 157 PROPOSED CONSTRUCTION OR ALTERATION ON NON-OBLIGATED PUBLIC-USE AIRPORTS

Sponsors/proponents of non-Part 157 proposals for construction or alteration on public-use airports are required to file notice with the FAA in accordance with Part 77.13 (a)(5). The appropriate Airports Office will process these proposals in accordance with procedures established for Part 157 proposals. Generally, these proposals will be submitted on FAA Form 7460-1 along with appropriate drawings and necessary supporting documentation. The procedures contained in Part 2. of this order are not applicable to such proposals. However the information contained in Part 2. may be helpful to airports personnel in applying the obstructions standards of Sections 77.17, 77.19, 77.21, and 77.23.

11-2-4. FAA COORDINATION

Upon receipt of a Part 157 proposal or a change to an ALP, the appropriate Airports Office must assign an aeronautical study number, ensure that the proposal is complete and correct, review the proposal from an airport's planning viewpoint and the effect on airport programs, enter the proposal into the OE/AAA automation program, and forward a proposal package with comments to the appropriate FAA offices (e.g., air traffic, Flight Procedures Team, Flight Standards, and technical operations services offices) for processing. Other organizations to consider in the review process are (if applicable) the Airport Traffic Control Tower (ATCT), System Management Office (SMO), Security and Hazardous Materials Division, Military representative and Airports Certification Branch. Flight Standards or the Flight Standards District Office (FSDO) will be sent all Part 157 proposals for seaplane bases and heliports depending on regional preference. Comments will be provided either to the originating Airports Office or to its

respective divisional offices depending on regional procedures. Additional internal coordination must be accomplished, as appropriate, by the responsible division offices.

a. Part 157. Include a copy of the FAA Form 7480-1 and comments on the effect of existing or proposed man-made objects on file with the FAA, plus the effect of natural growth and terrain. Direct particular attention to, and comment on object proposals that would exceed the obstruction standards of Part 77. Also, comment if the review indicated a potential noise problem and, if applicable, the effect of the proposal on the safety of persons and property on the ground. Also, enclose, as appropriate, sketches and other data required for the aeronautical study and determination. Include a plot of the proposed runway alignments, associated taxiways or seaplane alignments, and any obstructions on U.S. Geological Survey quadrangle map or equivalent.

b. ALPs. Forward a copy of the ALP and include, when appropriate, an analysis of and rationale for the plan, as well as the various stages of construction, if applicable. Include information on the location of structures that may adversely affect the flight or movement of aircraft, cause electromagnetic interference to NAVAIDs, communication facilities, or derogate the line-of-sight visibility from a control tower. Should review of the plan reveal a potential noise problem, comment to this effect. Comment, as applicable, on the proximity of urban congestion and any potential problem related to the safety of persons and property on the ground. If the layout plan is a revision of one previously approved, summarize the changes for which an airspace determination is required. Also, include comments on objects that would exceed the obstruction standards of Part 77 and any other Airports comments that may be appropriate.

c. Federally Assisted Airport Proposals. Transmit by letter a description of the work to be done in the proposed project. If the project is in conformance with an approved ALP, comment to this effect. If the project is at variance with the ALP, comment accordingly and forward a proposed revision to the ALP or an appropriate programming sketch that depicts the location and nature of the proposed work. Also, in the latter event, or if it is a new proposal, forward information on the appropriate items set forth in subparagraph b. above.

d. Disposal or Conveyance of Federal Surplus or Non Surplus Property. Process proposals by public agencies to acquire property interest in land owned and controlled by the United States for public airport purposes as set forth in subparagraph c.

NOTE-

Military representative notification – The military representative may review all new landing area proposals (airports/heliports/seaplane bases), all proposals that have changes to existing landing areas, and all ALPs. Normally, the notification will be through the OE/AAA computer program, unless the military representative requests a hard copy. The military will review proposals, indicated by Airports for review, to determine impacts on military training routes (MTR), MOAs, and restricted areas.

11-2-5. NEGOTIATION WITH SPONSOR

a. During the course of a study, the Airports Office may find it necessary to negotiate with the sponsor to change a proposal. This may be due to a safety problem, efficient use of the airport, etc. After coordination by and agreement with the interested FAA offices (for example, air traffic, Flight Procedures Team, Flight Standards, and technical operations services), military representatives negotiate with the sponsor for changes to the proposal as necessary. Advise interested FAA offices of the results of the negotiation.

b. When an airport proposal poses a problem with respect to the safe and efficient use of airspace by aircraft or with respect to the safety of persons and property on the ground, negotiate with the sponsor to revise the proposal, if feasible, so as to resolve the problem. Should a case involve a proposal for a new airport that would create problems not resolved by revisions to the proposal, negotiate with the sponsor for a relocation of the proposal to a new site to resolve the problem.

11-2-6. CIRCULARIZATION

The Airports Office should circularize airport proposals in accordance with nonrulemaking procedures as necessary to obtain comments from aeronautical interests, municipal, county and state groups, civic groups, military representatives, and FAA facilities and offices on proposals located within their areas of responsibility. All controversial proposals and those that have a potential adverse effect on the users of the airspace should be included

in the circularization process. However, do not circularize a proposal that may compromise the sponsor's position in land acquisition negotiations.

11-2-7. EVALUATE COMMENTS AND AERONAUTICAL EFFECT

The Airports Office must examine comments received in response to coordination and evaluate their validity as related to the safe and efficient use of airspace and to the safety of persons or property on the ground. If the Airports Office's determination contains additional items and/or alterations of the responses previously received from the other FAA offices, request the appropriate air traffic, Flight Procedures Team, Flight Standards, and technical operations services offices to assist in evaluating the validity of the determination. The guidelines in Chapter 12 will assist in evaluating the aeronautical effect of airport proposals.

11-2-8. INFORMAL AIRSPACE MEETINGS

The appropriate Airports Office, with the assistance of the air traffic office, may convene an informal airspace meeting with interested parties as set forth in Part 1. of this order. The informal airspace meeting provides the opportunity to gather additional facts

relevant to the aeronautical effect of the proposal, provides interested persons an opportunity to discuss aeronautical objections to the proposal, and provides the FAA with the opportunity to negotiate a resolution to objectionable aspects of the proposal.

11-2-9. ISSUE DETERMINATION

Upon completion of the airspace study, the Airports Office must develop and issue the FAA determination by letter to the airport sponsor in accordance with the guidelines in Chapter 12. Disapprove the request if a previous airport study determination was objectionable and remains uncorrected, or if the determination listed provisions that have not been complied with by the airport owner or sponsor. The FAA determination does not constitute a commitment to provide Federal financial assistance to implement any development contained in the proposal. Also, if the proposal is not objectionable but would exceed Part 77 obstruction standards, notify the sponsor of what obstruction marking and lighting would be required or recommended. Additionally, advise the sponsor that a separate notice will be required for any construction equipment, such as temporary cranes, whose working limits would exceed the height and lateral dimensions of the proposed object.

Section 4. Processing of Airport Proposals By Operations Support Group Flight Procedures Teams

11-4-1. EFFECT ON INSTRUMENT PROCEDURES

The appropriate Flight Procedures Team (FPT) must evaluate Non-Rulemaking Airport (NRA) aeronautical studies to identify any effect to FAA-developed instrument flight procedures. When the proposed airport is considering instrument flight procedures, the FPT will provide a response that includes any possible conflict with current published instrument flight procedures tracked via the OE/AAA program.

The evaluation must consider existing runways and plans on file (e.g., proposed runways). Runway plans on file are stored in the Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) system and managed by the Office of Airports. Upon receiving an NRA aeronautical study, FPT must ensure their evaluation considers existing and proposed runways, which may require coordination with the Obstacle Impact Team (OIT), AJV-A323.

NOTE-

Non-FAA service providers who develop instrument flight procedures are responsible for evaluating aeronautical studies and identifying any adverse effects. See Order 8260.60, Special Procedure.

11-4-2. EVALUATION OF PART 77 AERONAUTICAL STUDIES

An existing structure, proposed construction, or alteration on-airport that may affect the navigable airspace is processed as an NRA aeronautical study. Existing and planned airport development is considered when evaluating structures under Part 77. FPT personnel must identify the effect upon FAA-developed instrument flight procedures based on Terminal Instrument Procedures (TERPS) criteria and state what adjustments can be made to the procedure/structure to mitigate or eliminate any adverse effects of the structure on an instrument flight procedure. FPT will consider existing instrument flight procedures and any plan on file with the FAA.

NOTE-

This paragraph applies to any IAP and Special IAP at public-use and private-use airports.

11-4-3. EVALUATION OF PART 157 AERONAUTICAL STUDIES

Part 157 establishes standards and notification requirements for anyone proposing to construct, alter, or deactivate a civil or joint-use (civil/military) airport. Airports not subject to conditions of a Federal Agreement that requires an approved current airport layout plan (ALP) must submit a notice under Part 157 and this regulation also addresses proposals that alter the status or use of such an airport. An NRA aeronautical study is used to process these airport proposals. FPT personnel must review proposals to determine any impact on FAA-developed instrument procedures, including existing and proposed procedures. For example, an airport owner reducing runway length to less than 4,200 feet could result in an increase to the corresponding instrument approach procedure's height above touchdown elevation (HAT) and/or visibility minimums if the currently published minimums are less than $\frac{3}{4}$ Statute Mile (SM) and/or less than 250 feet.

11-4-4. EVALUATION OF CONSTRUCTION SAFETY AND PHASING PLANS

A Construction Safety and Phasing Plan (CSPP) details temporary construction activities to minimize disruption of normal aircraft operations and avoid situations that compromise the airport's operational safety. FPT personnel must review CSPPs to determine any impact to existing FAA-developed instrument procedures (e.g., airport owner is displacing the runway threshold temporarily to accommodate construction activities resulting in an impact to existing instrument approach procedures).

11-4-5. EVALUATION OF AIRPORT LAYOUT PLANS (ALP)

a. An ALP is a planning document that depicts existing airport facilities and proposed development as determined from reviewing aviation activity forecasts, facility requirements, and alternatives analysis. Airports are subject to conditions of a Federal Agreement that requires an approved current ALP and will submit notice of any updates or changes to the Office of Airports. Any changes to an ALP will

be coordinated with FPT as an NRA aeronautical study, and FPT personnel must:

1. Evaluate the ALP proposal to determine impacts to FAA–developed instrument procedures.
2. Evaluate runway plans–on–file (e.g., runway extension, new runway) and identify impacts to FAA–developed instrument procedures when Airports Division personnel provides National Geodetic Survey (NGS) validated survey data.

b. Upon request from airport sponsor, evaluate on–airport development (e.g., hangars, terminal expansion) and identify impacts to existing and/or future FAA–developed instrument procedures. Airports Division shall provide FPT personnel an independent list of specific on–airport development, including location (i.e., latitude, longitude), elevation (i.e., structure elevation, above mean sea level), and survey accuracy.

proponent: “This is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground. In making this determination, the FAA has considered matters such as the effect the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA) and natural objects within the affected area would have on the airport proposal.”

c. Notice of Completion – Include a reminder that the sponsor is required to notify the nearest Airport District Office (ADO) or regional office within 15 days after completion of the project. For a Part 157 airport, this is accomplished by submitting notice via the Airport Data and Information Portal (ADIP).

12-1-6. AIRPORT MASTER RECORD

When appropriate, include a statement in the determination letter providing guidance how to submit airport data changes to the FAA via the ADIP system.

12-1-7. ADVISE FEDERAL AGREEMENT AIRPORT SPONSORS

When a determination is sent to the sponsor, include the following additional statement: “This determination does not constitute a commitment of Federal funds and does not indicate that the proposed development is environmentally acceptable in accordance with applicable Federal laws. An environmental finding is a prerequisite to any major airport development project when Federal aid will be granted for the project. This approval is given subject to the condition that the proposed airport development identified below must not be undertaken without prior written environmental approval by the FAA. These items include [list items] (see FAAO 5050.4A, Chapter 3, for more information).”

12-1-8. DISSEMINATION OF STUDY RESULTS

The Airports Office must make available to FAA offices that participated in the study a copy of each

determination issued. Additionally, the results of an airport study circularized outside the FAA or discussed in an informal meeting should be disseminated by the Airports Office to those persons/offices on the circular distribution list, attendees at the informal airspace meeting, and any other interested person, as soon as feasible after the sponsor has been notified. Outside of agency distribution must be in the form of a notice “To All Concerned.” Include in the notice the aeronautical study number together with a brief summary of the factors on which the determination was based and a recital of any statement included in the determination. In addition, if a conditional statement concerning environmental acceptability has been included in the determination to the proponent, include a similar statement in the notice.

12-1-9. REVIEW OF SENSITIVE OR CONTROVERSIAL CASES AND PART 157 DETERMINATIONS

a. A proponent of an airport proposal or interested persons may, at least 15 days in advance of the determination void date, petition the FAA official who issued the determination to:

1. Revise the determination based on new facts that change the basis on which it was made.

2. Extend the determination void date. Determinations will be furnished to the proponent, aviation officials of the state concerned, and, when appropriate, local political bodies and other interested persons.

b. The petition must be based on aeronautical issues and will not be accepted after airport construction has begun. The appropriate regional office should attempt to resolve the issue(s) in the following manner:

1. Informal Meeting. The Airports Office should hold a special informal airspace meeting with all interested parties when requested. Emphasize that the scope of an airport study analysis is limited, and that the FAA’s determination is based on the safe and efficient use of navigable airspace by aircraft and the safety of persons and property on the ground (see paragraph 12-1-5). The air traffic office must assist in the meeting when requested by Airports.

2. Reevaluate. If any new factors regarding the safe and efficient use of the airspace become known

as a result of the informal meeting then reevaluate the airport proposal. Affirm or revise the original determination as appropriate.

3. Public Hearing. The regulations provide no right to, or procedures for, a public hearing regarding airport matters. An airport airspace determination is only advisory and for the FAA's own use. Circularization and, where required, informal airspace meetings should be sufficient to provide interested persons a forum to present their views. When Federal funds are, or will be involved in the airport or its development, there is a right to a public hearing on site location, but no similar right exists to a hearing on airspace matters. If a party is emphatic in their demand for a public hearing Mission Support, Policy, through the service area office, should be notified and there must be no implication made that a hearing may be granted. It is general policy not to grant such hearings. However,

should circumstances dictate otherwise, Mission Support, Policy would direct the conduct of the hearing to be informal in nature, not within the scope of the Administrative Procedures Act, and the subject matter would be limited to the scope of the airspace analysis (i.e., the safe and efficient use of navigable airspace by aircraft).

12-1-10. DISPOSAL OF FEDERAL SURPLUS REAL PROPERTY FOR PUBLIC AIRPORT PURPOSES

a. Site Endorsement. The FAA must study and officially endorse the site before property interest in land owned and controlled by the United States is conveyed to a public agency for public airport purposes.

b. Processing Procedures. Surplus Federal property cases must be processed in the same manner as Federal airport proposals.