

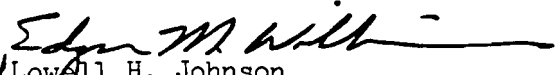


U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: ACTION: Program Guidance Letter No. 17

Date: JUL 10 1984

From: 
Lowell H. Johnson
Manager, Grants-in-Aid Division, APP-500

Reply to
Attn. of:

To: All Regions and AAC-960
Attn: Manager, Airports Division

17.1 Revised Standard Form 424 - Federal Assistance - Jack Cathell (426-3857). Attached is a copy of SF 424 incorporating revisions made necessary by the rescission of OMB Circular A-95 and the implementation of Executive Order 12372.

It is expected that Government Printing Offices will have the new SF 424 available during early July 1984. We have been told by OMB that the printing will provide for a Section IV page to allow for detailed explanations as needed. OMB also advises that present supplies of the SF 424 may be used till depleted, in spite of the remark at the bottom of the new form.

17.2 Noise Compatibility Projects - Bob Yatzeck (426-3857). Attached is Chapter 7, Noise Compatibility Projects, as included in the draft AIP Handbook recently transmitted to you. This attachment constitutes FAA policy and guidance on noise compatibility projects until the AIP Handbook is finalized. Some previous PGL items dealing with noise issues; namely, Item 5.3, 9.1 and 9.11 are superseded. PGL Items 9.2 "Noise Planning" and 10.7 "Revision of Work Codes" remain in effect.

The nonairport sponsor assurances attached should be used as called for in the attached Chapter 7.

The comparative cost data cited in paragraph 7.11d of the attachment will be transmitted to you when they are developed. During the interim, contact APP-510 if you need assistance in this area.

Attachments

FEDERAL ASSISTANCE

TYPE
OF
SUBMISSION
Mark appropriate (x)

- ☐ NOTICE OF INTENT (OPTIONAL)
☐ PREAPPLICATION
☐ APPLICATION

2. APPLICANT'S
APPLI-
CATION
IDENTI-
FIER

a. NUMBER

b. DATE

Year month day

19

3. STATE
APPLI-
CATION
IDENTI-
FIER

NOTE: TO BE
ASSIGNED
BY STATE

a. NUMBER

b. DATE
ASSIGNED

Year month day

19

Leave
Blank

4. LEGAL APPLICANT/RECIPIENT

a. Applicant Name

b. Organization Unit

c. Street/P.O. Box

d. City

e. State

e. County

g. ZIP Code.

f. Contact Person (Name)

g. Telephone No.)

5. TITLE OF APPLICANT'S PROJECT (Use section IV of this form to provide a summary description of the project.)

5. EMPLOYER IDENTIFICATION NUMBER (EIN)

6.
PRO-
GRAM

(From CFDA)

a. NUMBER

MULTIPLE ☐

b. TITLE

8. TYPE OF APPLICANT/RECIPIENT

A—State
B—Interstate
C—Substate
Organization
D—County
E—City
F—School District

G—Special Purpose District
H—Community Action Agency
I—Higher Educational Institution
J—Indian Tribe
K—Other (Specify):

Enter appropriate letter ☐

9. AREA OF PROJECT IMPACT (Names of cities, counties, states, etc.)

10. ESTIMATED NUMBER
OF PERSONS BENEFITING

11. TYPE OF ASSISTANCE

A—Basic Grant
B—Supplemental Grant
C—Loan

D—Insurance
E—Other

Enter appropriate letter(s) ☐

12. PROPOSED FUNDING

FEDERAL	\$.00
APPLICANT		.00
STATE		.00
LOCAL		.00
OTHER		.00
Total	\$.00

13. CONGRESSIONAL DISTRICTS OF:

a. APPLICANT

b. PROJECT

15. PROJECT START
DATE

Year month day

19

16. PROJECT
DURATION

Months

18. DATE DUE TO
FEDERAL AGENCY

19

Year month day

14. TYPE OF APPLICATION

A—New
B—Renewal

C—Revision
D—Continuation

E—Augmentation

Enter appropriate letter ☐

17. TYPE OF CHANGE (For 14c or 14e)

A—Increase Dollars
B—Increase Dollars
C—Increase Duration
D—Decrease Duration
E—Cancellation

F—Other (Specify):

Enter appropriate letter(s) ☐

19. FEDERAL AGENCY TO RECEIVE REQUEST

a. ORGANIZATIONAL UNIT (IF APPROPRIATE)

b. ADMINISTRATIVE CONTACT (IF KNOWN)

c. ADDRESS

20. EXISTING FEDERAL GRANT
IDENTIFICATION NUMBER

21. REMARKS ADDED

☐ Yes ☐ No

22. APPLICANT
CERTIFIES
THAT

To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved.

a. YES, THIS NOTICE OF INTENT/PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:
DATE

b. NO, PROGRAM IS NOT COVERED BY E.O. 12372 ☐
OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW ☐

23. CERTIFYING
OFFICIAL
REPRESENTATIVE

a. TYPED NAME AND TITLE

b. SIGNATURE

24. APPLICATION
RECEIVED 19

Year month day

25. FEDERAL APPLICATION IDENTIFICATION NUMBER

26. FEDERAL GRANT IDENTIFICATION

27. ACTION TAKEN

a. AWARDED
b. REJECTED
c. RETURNED FOR
AMENDMENT
d. RETURNED FOR
E.O. 12372 SUBMISSION
BY APPLICANT TO
STATE
e. DEFERRED
f. WITHDRAWN

28. FUNDING

a. FEDERAL	\$.00
b. APPLICANT		.00
c. STATE		.00
d. LOCAL		.00
e. OTHER		.00
f. TOTAL	\$.00

29. ACTION DATE

Year month day

19

31. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number)

30. STARTING
DATE

Year month date

19

32. ENDING
DATE

Year month date

19

33. REMARKS ADDED

☐ Yes ☐ No

GENERAL INSTRUCTIONS FOR THE SF-424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted in accordance with Circular A-102. It will be used by Federal agencies to obtain applicant certification that states which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their review have been given an opportunity to review the applicant's submission.

APPLICANT PROCEDURES FOR SECTION I

Applicant will complete all items in Section I with the exception of Box 3, "State Application Identifier." If an item is not applicable, write "NA." If additional space is needed, insert an asterisk "*", and use Section IV. An explanation follows for each item:

Mark appropriate box. Preapplication and application are described in Circular A-102 and Federal agency program instructions. Use of this form as a Notice of Intent is at State option. Federal agencies do not require Notices of Intent.

Applicant's own control number, if desired.

Date Section I is prepared (at applicant's option).

Number assigned by State.

Date assigned by State.

Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of applicant, and name and telephone number of the person who can provide further information about this request.

Employer Identification Number (EIN) of applicant as assigned by the Internal Revenue Service.

Use Catalog of Federal Domestic Assistance (CFDA) number assigned to program under which assistance is requested. If more than one program (e.g., joint funding), check "multiple" and explain in Section IV. If unknown, cite Public Law or U.S. Code.

Program title from CFDA. Abbreviate if necessary.

Use Section IV to provide a summary description of the project. If appropriate, i.e., if project affects particular sites as, for example, construction or real property projects, attach a map showing the project location.

City includes town, township or other municipality.

List only largest unit or units affected, such as State, county, or city.

Estimated number of persons directly benefiting from project.

Check the type(s) of assistance requested.

A. Basic Grant—an original request for Federal funds.

B. Supplemental Grant—a request to increase a basic grant in certain cases where the eligible applicant cannot supply the required matching share of the basic Federal program (e.g., grants awarded by the Appalachian Regional Commission to provide the applicant a matching share).

C. Other. Explain in Section IV.

Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included. If the action is a change in dollar amount of an existing grant

Item

(a revision or augmentation under item 14), indicate only the amount of the change. For decreases, enclose the amount in parentheses. If both basic and supplemental amounts are included, breakout in Section IV. For multiple program funding, use totals and show program breakouts in Section IV. 12a—amount requested from Federal Government; 12b—amount applicant will contribute. 12c—amount from State, if applicant is not a State. 12d—amount from local government, if applicant is not a local government. 12e—amount from any other sources, explain in Section IV.

13b. The district(s) where most of action work will be accomplished. If city-wide or State-wide, covering several districts, write "city-wide" or "State-wide."

14. A. New. A submittal for project not previously funded.

B. Renewal. An extension for an additional funding/budget period for a project having no projected completion date, but for which Federal support must be renewed each year.

C. Revision. A modification to project nature or scope which may result in funding change (increase or decrease).

D. Continuation. An extension for an additional funding/budget period for a project with a projected completion date.

E. Augmentation. A requirement for additional funds for a project previously awarded funds in the same funding/budget period. Project nature and scope unchanged.

15. Approximate date project expected to begin (usually associated with estimated date of availability of funding).

16. Estimated number of months to complete project after Federal funds are available.

17. Complete only for revisions (item 14c), or augmentations (item 14e).

18. Date preapplication/application must be submitted to Federal agency in order to be eligible for funding consideration.

19. Name and address of the Federal agency to which this request is addressed. Indicate as clearly as possible the name of the office to which the application will be delivered.

20. Existing Federal grant identification number if this is not a new request and directly relates to a previous Federal action. Otherwise, write "NA."

21. Check appropriate box as to whether Section IV of form contains remarks and/or additional remarks are attached.

APPLICANT PROCEDURES FOR SECTION II

Applicants will always complete either item 22a or 22b and items 23a and 23b.

22a. Complete if application is subject to Executive Order 12372 (State review and comment).

22b. Check if application is not subject to E.O. 12372.

23a. Name and title of authorized representative of legal applicant.

FEDERAL AGENCY PROCEDURES FOR SECTION III

Applicant completes only Sections I and II. Section III is completed by Federal agencies.

Use to identify award actions.

Use Section IV to amplify where appropriate.

Amount to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions will be included. If the action is a change in dollar amount of an existing grant (a revision or augmentation under item 14), indicate only the amount of change. For decreases, enclose the amount in parentheses. If both basic and supplemental amounts are included, breakout in Section IV. For multiple program funding, use totals and show program breakouts in Section IV.

will contribute. 28c—amount from State, if applicant is a State; 28d—amount from local government, if applicant is not a local government. 28e—amount from any other sources, explain in Section IV.

29. Date action was taken on this request.

30. Date funds will become available.

31. Name and telephone number of agency person who can provide more information regarding this assistance.

32. Date after which funds will no longer be available for obligation.

33. Check appropriate box as to whether Section IV of form contains

CHAPTER 7. NOISE COMPATIBILITY PROJECTS

700. GENERAL. The Aviation Safety and Noise Abatement Act (ASNA), as amended by the Airport and Airway Improvement Act, permits the FAA to provide funds for any project to carry out an FAA-approved noise compatibility program or parts not disapproved by the FAA. Grants for such projects may be made to eligible units of local government (nonairport sponsors) as well as to airport sponsors.

701. PROJECT ELIGIBILITY. A proposed noise compatibility project is eligible for Federal participation if it is an element of:

a. A noise compatibility program prepared by the airport sponsor and determined by the FAA to be substantially consistent with the purposes of reducing existing noncompatible uses in accordance with Section 104(c)(2) of the Aviation Safety and Noise Abatement Act of 1979 (based on criteria provided by APP-600); or

b. A noise compatibility program prepared by the airport sponsor and approved by the FAA in accordance with FAR Part 150.

702. SPONSOR ELIGIBILITY. Noise compatibility projects may be carried out by airport sponsors and by units of local government which are not airport sponsors. Section 104(c)(1) of ASNA requires local governments have the capability to carry out the projects for which applications are made. This condition is satisfied when the nonairport sponsor makes Assurances No. 2 (Responsibility and Authority of the Sponsor), 3 (Sponsor Fund Availability), and 13 (Operation and Maintenance). Though any unit of local government meeting this criterion is eligible, there may be instances where local officials are ambivalent as to which of several possible units of local government they wish to sponsor a particular project. In such cases, the FAA may be requested to express an opinion on sponsor preference. In general, we prefer units of local government with the strongest authority for land use control so as to obtain more direct compliance with the compatible land use assurance.

703. COSPONSOR. Any two or more units of local government desiring to participate in accomplishing a project may co-sponsor a project, provided such units jointly or severally are eligible sponsors. An airport sponsor may be a cosponsor on a project.

704. APPLICABILITY OF AIA PROVISIONS. Section 104(c)(1) of ASNA states that all of the provisions applicable to AIP grants shall be applicable to any grants made under ASNA. Therefore, requirements pertaining to MBE, Davis-Bacon, NEPA, E.O. 11372, etc., apply to noise compatibility projects.

705. ENVIRONMENTAL CONSIDERATIONS. The Airport Environmental Handbook, indicates that, under some circumstances, projects to carry out noise compatibility programs may be categorically excluded from requirements for environmental assessment preparation. Contact APP-600 for assistance in this area.

706. PROJECTS ON PROPERTY OWNED BY A UNIT OF LOCAL GOVERNMENT OTHER THAN THE SPONSOR.

a. Airport Sponsors. Assurance 5c, Preserving Rights and Powers, requires the airport sponsor to enter into an agreement with the unit of local government.. To be satisfactory to the Secretary, this agreement must include the following assurances contained in the Part V Assurances for nonairport sponsors (appendix _):

(1) Assurance 1, General Federal Requirements. It is only necessary to include the first paragraph. Reference to and listing of laws and regulations may be deleted.

(2) Assurance 2, Responsibility and Authority of the Sponsor.

(3) Assurance 3b, Sponsor Fund Availability.

(4) Assurance 8, Accounting System, Audit, and Recordkeeping Requirements.

(5) Assurance 9, Minimum Wage Rates.

(6) Assurance 10, Veterans Preference.

(7) Assurance 11, Conformity to Plans and Specifications.

(8) Assurance 12, Construction Inspection and Approval.

(9) Assurance 13, Operation and Maintenance.

(10) Assurance 14, Hazard Prevention.

(11) Assurance 15, Compatible Land Use.

(12) Assurance 16, Reports and Inspections.

(13) Assurance 17, Land for Federal Facilities.

(14) Assurance 18, Civil Rights.

The airport sponsor may also add any other terms and conditions, consistent with the assurances, that it believes are necessary.

b. Nonairport Sponsors. Assurance 5c, Preserving Rights and Powers, requires the nonairport sponsor to enter into an agreement with the local government. To be satisfactory to the Secretary, the agreement must include the following assurances contained in the Part V Assurances for nonairport sponsors:

(1) Assurance 1, General Federal Requirements. It is only necessary to include the first paragraph. Reference to and listing of laws and regulations may be deleted.

- (2) Assurance 2, Responsibility and Authority of the Sponsor.
- (3) Assurance 3b, Sponsor Fund Availability.
- (4) Assurance 8, Accounting System, Audit, and Recordkeeping Requirements.
- (5) Assurance 11, Conformity to Plans and Specifications.
- (6) Assurance 12, Construction Inspection and Approval.
- (7) Assurance 13, Operation and Maintenance.
- (8) Assurance 14, Hazard Prevention.
- (9) Assurance 15, Compatible Land Use.
- (10) Assurance 17, Land for Federal Facilities.
- (11) Assurance 18, Civil Rights.

The nonairport sponsor may also add any other terms and conditions, consistent with the assurances, that it believes are necessary.

707. PROJECTS ON PRIVATELY OWNED PROPERTY.

a. Condition in Grant Agreement. Assurance 5d, Preserving Rights and Powers, requires the sponsor to enter into an agreement with the private property owner that contains provisions specified by the Secretary. To aid in satisfying this requirement, the following condition shall be included in the grant agreement:

"No payment shall be made under the terms of this grant agreement for work accomplished on privately owned land until the sponsor submits the agreement with the owner of the property required by Assurance 5d of the Part V, Assurances and such agreement is determined to be satisfactory. As a minimum, the agreement with the private owner must contain the following provisions:

- 1. The property owner shall subject the construction work on the project to such inspection and approval during the construction or installation of the noise compatibility measures and after completion of the measures as may reasonably be requested by the Secretary or the sponsor.
- 2. The property owner shall assume the responsibility for maintenance and operation of the items installed, purchased, or constructed under this grant agreement. Neither the Federal Aviation Administration nor the sponsor bears any responsibility for the maintenance and operation of these items.

3. If Federal funds for the noise compatibility measures are transferred by the sponsor to the owner of the private property, or the owner's agent, the property owner shall agree to maintain and make available to the Secretary or the sponsor, upon reasonable request, records disclosing the amount of funds received and the disposition of those funds.
4. The property owner's right to sue the owner of _____ Airport for adverse noise impact will be abrogated if the property owner deliberately or willfully acts to reduce or destroy the effectiveness of the noise compatibility measures during the useful life of such measures. This obligation shall remain in effect throughout the useful life of the noise compatibility measures, but not to exceed 20 years from the date of the sponsor's acceptance of Federal aid for the project."

b. Responsibility for Operation and Maintenance of Items Installed. The purpose of requiring a(2) above is to indicate that the responsibility for maintenance and operation of the noise items lies with the private property owner, not to require such operation and maintenance. In the case where the private property is a parochial school, for example, this condition should not be construed to mean the private property owner is obligated to operate the facility as a school for the useful life of the noise compatibility measures. It should generally be understood, however, that only those buildings be proposed for soundproofing that can reasonably be expected to be used for a period of time meeting or exceeding the useful life of the noise compatibility measures.

708. EASEMENT IN CONJUNCTION WITH SOUNDPROOFING. Aviation or noise easements will not be required by the FAA in conjunction with grants for soundproofing public or private buildings or private residences. The effect of such a requirement would be to compel a property owner to give up, via donation, property rights it holds in exchange for funds to soundproof a building. However, an approved noise compatibility program could include the acquisition of easements which would then establish their eligibility. Only if such easements are acquired with Federal funds, will they be subject to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policy Act (URARPAPA).

709. SPECIAL CONDITION FOR LAND ACQUISITION. Section 511(a)(13) of the AAIA imposes certain requirements on sponsors receiving grants for the purchase of land for noise compatibility purposes which is conditioned on the disposal of the acquired land. The following special condition shall be used in grants that include such land acquisition:

"The Sponsor agrees that land in this project purchased for noise compatibility purposes may be subject to disposal at the earliest practicable time. After Grant Agreement, the FAA may designate such land which must be sold by the sponsor. The sponsor will use its best efforts to so dispose of such land subject to retention or reservation of any interest or right therein necessary to ensure that such land is used only for purposes which are compatible with the noise levels of operation of the airport. The pro-

ceeds of such disposition either shall be refunded to the United States for the Airport and Airway Trust Fund on a basis proportionate to the United States share of the cost of acquisition of such land, or shall be reinvested in an approved project, pursuant to such instructions as the FAA shall issue."

710. PROGRAM INCOME. In some noise compatibility projects, sponsors will acquire property which produces a net revenue. See Chapter 6 for Program Income.

711. RESIDENTIAL NOISE ATTENUATION PROPOSAL EVALUATION. In evaluating project proposals which include noise attenuation of residences, the following guidelines should be considered:

a. A 45dB(A)-48dB(A) interior noise level is considered a reasonable objective. Therefore, Federal assistance will not be provided to achieve interior noise levels below 45dB(A).

b. A total noise reduction from exterior noise levels to interior levels of 25-30dB(A) usually can be achieved with some combination of storm windows, solid-core exterior doors, ceiling insulation, caulking, weatherstripping, and central air conditioning. Therefore, project eligibility of residential noise attenuation will normally be limited to these measures plus "before and after" single event noise testing. APP-500 should be consulted for measures beyond those listed above.

c. Sponsors must certify to the FAA that the engineering plans and specifications for the noise attenuation measures conform to the local building code.

d. The sponsor must provide a cost analysis indicating unit costs for material and labor for each type of noise attenuation measure. The FAA will review these data and compare them with typical unit cost data.

712.-799. RESERVED.

PART V
ASSURANCES
Noise Compatibility Projects for Non Airport Sponsors

A. General.

1. These assurances shall be complied with in the performance of grant agreements for noise compatibility projects undertaken by sponsors that are not proprietors of the airport which is the subject of the noise compatibility program.
2. These assurances are required to be submitted as part of the application by sponsors requesting funds under the provisions of the Airport and Airway Improvement Act of 1982 and the Aviation Safety and Noise Abatement Act of 1979. Sponsors are units of local government in the area around the airport which is subject of the noise compatibility program.
3. Upon acceptance of the grant offer by the sponsor, these assurances are incorporated in and become part of the grant agreement.

B. Duration. The terms, conditions, and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired under this project, but in any event not to exceed twenty (20) years from the date of said acceptance of a grant offer of Federal funds for the project. However, there shall be no time limit on the duration of the terms, conditions, and assurances with respect to real property acquired with Federal funds.

C. Sponsor Certification. The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements. It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

Federal Legislation

- a. Federal Aviation Act of 1958
- b. Hatch Act
- c. Federal Fair Labor Standards Act
- d. Davis-Bacon Act
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 - Titles II and III
- f. National Historic Preservation Act of 1966 - Section 106
- g. Archeological and Historic Preservation Act of 1966
- h. Flood Disaster Protection Act of 1973 - Section 102(a)
- i. Rehabilitation Act of 1973 - Section 504
- j. Civil Rights Act of 1964 - Title VI
- k. Aviation Safety and Noise Abatement Act of 1979
- l. Age Discrimination Act of 1975

- m. Architectural Barriers Act of 1968
- n. Airport and Airway Improvement Act of 1982
- o. Powerplant and Industrial Fuel Use Act of 1978 - Section 403

Federal Regulation

- a. 49 CFR Part 21 - Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964.
- b. 49 CFR Part 23 - Participation by Minority Business Enterprise in Department of Transportation Programs.
- c. 49 CFR Part 27 - Non-Discrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting from Federal Financial Assistance.
- d. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally-assisted Contracting Requirements).
- e. 14 CFR Part 150 - Airport Noise Compatibility Planning.

Office of Management and Budget Circulars

- a. A-87 - Cost Principles Applicable to grants and Contracts with State and Local Governments.
- b. A-102 - Uniform Requirements for Assistance to State and Local Governments.

Specific assurances required to be included in grant agreements by any of the above laws, regulations, or circulars are incorporated by reference in the grant agreement.

- 2. Responsibility and Authority of the Sponsor. It has legal authority to apply for the grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- 3. Sponsor Fund Availability.
 - a. It has sufficient funds available for that portion of the project costs which are not to be paid by the United States.
 - b. It has sufficient funds available to assure operation and maintenance of items funded under the grant agreement which it will own or control.

4. Good Title. For projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.
5. Preserving Rights and Powers.
 - a. It will not enter into any transaction, or change thereto, or take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in the grant agreement without the written approval of the Secretary, and will act to right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
 - b. It will not sell, lease, encumber or otherwise transfer or dispose of all or any part of its title or other interests in that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in the grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under the Airport and Airway Improvement Act of 1982 to assume the obligations of the grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee, all of the terms, conditions, and assurances contained in this grant agreement.
 - c. For all noise compatibility projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility project. That agreement and changes thereto must be approved in advance by the Secretary.
 - d. For noise compatibility projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary.

6. Consistency with Local Plans. The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport. For noise compatibility projects to be carried out on property which is not owned by the airport and which is under the land use control or authority of a public agency other than the sponsor, the sponsor shall obtain from each such agency a written declaration that such agency supports the project and the project is reasonably consistent with the agency's plans regarding the property.
7. Consideration of Local Interest. It has given fair consideration to the interest of communities in or near which the project may be located.
8. Accounting System, Audit, and Recordkeeping Requirements.
 - a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the project in connection with which the grant is given or used, and the amount and nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the projects. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the U.S. General Accounting Office publication entitled Guidelines for Financial and Compliance Audits of Federally Assisted Programs.
 - b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to the grants. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which the grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than 6 months following the close of the fiscal year for which the audit was made.
9. Minimum Wage Rates. It shall include, in all contracts in excess of \$2,000 for work on any projects funded under the grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a--276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

10. Veterans Preference. It shall include, in all contracts for work on any projects funded under the grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to veterans of the Vietnam era and disabled veterans as defined in Section 515(c)(1) and (2) of the Airport and Airway Improvement Act of 1982. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.
11. Conformity to Plans and Specifications. It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval by the Secretary, shall be incorporated into this grant agreement. Any modifications to the approved plans, specifications and schedules shall also be subject to approval by the Secretary and incorporation into the grant agreement.
12. Construction Inspection and Approval. It will provide and maintain competent technical supervision at the construction site to assure that the work conforms with the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project grant application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.
13. Operation and Maintenance. It will suitably operate and maintain noise compatibility program items that it own or controls upon which Federal funds have been expended.
14. Hazard Prevention. It will protect the aerial approaches to the airport by preventing the establishment or creation of future airport hazards on property owned or controlled by it or over which it has land use jurisdiction.
15. Compatible Land Use. It will take appropriate action, including the adoption of zoning laws, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, it will not cause or permit any change in land use, within its jurisdiction, that will reduce the compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

16. Reports and Inspections. It will submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and will make records and documents relating to the project, and continued compliance with the terms, conditions, and assurances of the grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request.
17. Land for Federal Facilities. It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land purchased under this grant agreement as the Secretary considers necessary or desirable for construction, operation and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of written requests from the Secretary.
18. Civil Rights. It will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefiting from funds received from this grant.