



Airport Compliance

Common Issues

01/01/2007

Compliance Issues

- Airports must submit any proposed changes on airport property to TxDOT Aviation to update ALP and for approval.
- Anything required by FAA to be on the ALP shall be subject to Environmental Review by TxDOT Aviation (Subject to Policy Change).
- Regardless of structure a FAA form 7460 needs to be filed if that structure occurs on airport owned land, regardless of location or surroundings

Advice: Talk to your TxDOT Planner before adding or removing anything on your ALP

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Compliance Issues

- **Preventing Aircraft Operators Conducting Self Service**

- Grant Assurance 22 f. requires sponsors to allow aircraft operators to “self service”
- Sponsors can impose reasonable restrictions
- Sponsor can impose fuel flowage fees that sponsor charges providers selling fuel to the public.
- Cooperative fueling is not self-fueling and can be restricted by the sponsor.

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

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Compliance Issues

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

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

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Compliance Issues

- **Economic Non-Discrimination (Assurance 22)**

- Airport must be available to all types and classes of aeronautical activity
- All FBOs shall be subject to the same rules and rates
- Sponsor may establish rules, regulations, and minimum standards with reasonable restrictions

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

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Compliance Issues

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

Best Advice: Coordinate with TxDOT Aviation early if considering an airport land release

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Compliance Issues

- **Hazard Removal/Mitigation (Assurance 20) and Compatible Land Use (Assurance 21)**
 - Airports must keep approaches clear (the 20:1 visual segment for visual airports is minimum)
 - Airports must zone to prevent incompatible land uses
 - The new RPZ policy might hurt future projects such as runway extensions at airports that have not zoned and protected around their airport

**Best Advice: Acquire the land to protect your airport.
Zoning is not a 100% guarantee**

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Compliance Issues

- **Airport Revenue Use (Assurance 25 and the Revenue Use Policy)**
 - All revenue generated on an airport must remain on the airport to be used for airport purposes
 - Any airport land leased for non-aeronautical uses must be for fair market value and remain in the airport's fund
 - Using airport revenue for general economic development is a prohibited use of airport revenue

Advice: If this is a problem, inform TxDOT and we will work with the responsible officials for resolution

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Compliance Issues

- **Airport Sponsors Assurances**

- 39 Grant Assurances
- 20 years from the date of acceptance of a grant
- No limit:
 - Assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport
 - Duration of the terms, conditions, and assurances with respect to real property acquired with federal funds

Tip: Read the Assurances and make sure the sponsor understands them before signing.

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Compliance Issues

- **State officials will advise sponsors and help them remain within compliance**
 - When issued a grant the sponsor is assuring specific obligations
 - It is ultimately the sponsor's responsibility to ensure the obligations are enforced
 - Sponsors should communicate issues with TxDOT Aviation officials.

Advice: Issues will always bubble to the surface. Be proactive.

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Questions???

- **References**

- Airport Grant Assurance (with each grant)
- FAA Compliance Handbook, Order 5190.6B
- Airport Revenue Use Policy (5190.6B)
- Land Release Rules of Thumb
- Airport Rules & Standards
<http://www.txdot.gov/inside-txdot/division/aviation/airport-rules.html>
- Compliance Guidance Letters – CGLs
www.faa.gov/airports/airport_compliance

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