Hot Topics in Land Use at GA Airports

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Focus on two ‘hot topics’:

- Management of lands purchased for noise purposes
- Bringing runway safety zones into compliance with FAA requirements
Contrary to conventional wisdom on retention of lands

Grant Assurance Obligations (Grant Assurance 31)
- For land purchased for noise compatibility purposes, proprietor:
  - will dispose of the land
  - when the land is no longer needed for such purposes
  - at fair market value
  - at the earliest practicable time
- Restrict use to purposes compatible with noise levels associated with airport operations (retain an interest)
- Return proceeds to the AIP Trust Fund or reinvest funds in FAA-approved noise program

Federal law
- 49 U.S.C. 47107(c) disposal requirement

Airport Improvement Program Handbook (Order 5100.38B) (January 2004)
OIG Findings

Inspector General Report September 2005

Status of Noise Land at the 11 Airports

- Disposal Not In Accordance: 13%
- Disposal in Accordance: 1%
- Redesignated for Other Uses: 33%
- Unneeded, Should Be Disposed: 53%

Chart courtesy of OIG
OIG Recommendations and FAA Responses

1. Ensure sponsors implement written FAA-approved plans for disposal and reinvestment of proceeds
   
   New grant condition on disposal plan

2. Improve FAA oversight
   
   Keep separate noise inventory map (not ALP Exhibit A)

3. Educate FAA and proprietors’ staffs on grant requirements
   
   Develop training curriculum

4. Provide guidance to airports on use of leases and revenue bonds
   
   Develop guidance

5&6. Recover FAA share from disposition of unneeded noise land and FAA share from misused land disposal proceeds
   
   See action plan
January 2007
- Noise land reuse plans submitted by 11 audited airports

March 2007
- FAA to issue additional guidance on disposal requirements

August 2009
- Noise land reuse plans and maps submitted by all other airports

March 2010
- FAA completed review of reuse plans
Implications for GA Airports

- Lot of work for airports with AIP-funded noise programs!
  - Title review and grant history
  - Preparation of map
  - Reconciliation of funds and title
  - Accounting for funds

- Continuing obligations
  - Financial recordkeeping and reporting
  - Tracking of title
  - Regular disposal or reuse program
  - Reuse for aeronautical purposes – simplest solution

- Community liaison
  - Zoning, reuse, development issues
Runway Safety Zones
Runway Safety Zones

- Runway Safety Area – RSA

- Runway Protection Zone - RPZ
Runway Safety Zones

Airport Design (Advisory Circular 150/5300-13) sets forth FAA guidelines for design of runway safety zones

- RSA
- RPZ
- OFA

Grant assurances require compliant safety zones (Order 5200.8)

Many, many airports do not have compliant safety zones

More recognized in the breach than the observance until recently
FAA Safety Initiatives

- Vision 100 mandate
- Part 139 requirements
- Non 139 airports: until recently largely jawboning, serendipity
- Administrator-level initiative to improve compliance with safety areas guidelines
  - FY 06 ARP Plan: complete 92% of RSA improvements by 2015
- New initiative: more aggressive enforcement
  - Independent of other ALP revisions, major projects
- Compliance generally not significant burden for large commercial service airports
  - Part 139 scrutiny
  - Substantial buffer lands
  - Adjacent industrial, commercial development
Implications for GA Airports

- Potential effect on runway lengths (if property not available)
- Additional land acquisitions
- Community perceptions
- Conversion of noise land to safety area
- Environmental constraints

Courtesy Martin County, FL
Email me if you want copies of source documents

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