



# Federal Aviation Administration

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## MEMORANDUM

Date: August 18, 2015

To: Regional Airports Division Managers  
610 Branch Managers  
620 Branch Managers  
Airports District Office Managers

From: *[Signature]*  
Director, Office of Airport Safety and Standards (AAS-1)  
*[Signature]*  
Director, Office of Airport Planning and Programming (APP-1)  
*[Signature]*  
Director, Office of Airport Compliance (ACO-1)

Subject: **Reminder of Responsibilities for FAA Personnel and Airport Sponsors for Protecting Approach and Departure Surfaces**

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### Introduction

The purpose of this memo is primarily to remind FAA Office of Airports staff about their responsibilities (as well as the responsibilities of airport sponsors) in establishing and maintaining clear approach and departure surfaces at airports. We encourage personnel in all Regions and ADOs to relay this memorandum to all Federally obligated airports and any that are certificated under 14 CFR part 139, as well as all state aeronautical agencies. This memorandum will also be available on the FAA's public website under Safety, Planning and Compliance.

The airport sponsor is ultimately responsible for ensuring clear runway approach and departure surfaces. However, ARP plays an important role in this process. This role is detailed in a separate section below.

The approach and departure surfaces required to be maintained are those identified by Advisory Circular (AC) 150/5300-13A, Airport Design and FAA Order 8260.3B, The United States Standard for Terminal Instruments Procedures (TERPS). The focus of this document is on the TERPS 20:1 surface. While Part 77 civil airport imaginary surfaces are important, they are not the surfaces discussed in this document as they do not directly affect procedures.

### Role of the Office of Airports (ARP)

- A core part of ARP's mission is to help maintain and enhance the safety, capacity

and efficiency of airports. ARP is responsible for working with the nation's federally obligated airports to ensure approach and departure surfaces are clear of obstacles to ensure safety and to optimize the full capability of the runway without restrictions. The Air Traffic Organization and Flight Procedures Teams have the responsibility, when necessary, to adjust the procedure(s) based on obstacles penetrating the approach/departure surfaces to protect the traveling public.

- ARP has the authority under both Part 139 and through the Grant Assurances to hold an airport sponsor accountable for clearing their approach/ departure surfaces whenever practicable.
- ARP must be proactive and review penetrations to all applicable approach/ departure surfaces beyond the current focus and actions necessary on the 20:1 TERPS visual area penetrations outlined in the subject Interim Policy Guidance memo dated March 20, 2015.

### **Actions Necessary by Airports District Office (ADO) Personnel**

The term "ADO" refers to staff within an Airport District Office, or Regional Office staff without ADOs. In the case of a block-grant state, we expect the states to exercise the same level of diligence:

- ADO actions start with the planning process. The ADO is expected to ensure that sponsors properly incorporate the identification and planned mitigation of obstacles penetrating the approach and/or departure surfaces into Master Plans, ALP Updates, obstruction studies, Airport Master Record (5010) and the new AGIS Surface Analysis and Visualization (SAV) Tool (as applicable) and other relevant documents. ADO staff must carefully review findings or recommendations about obstacles penetrating the approach and/or departure surface obstacles in these studies.
- The airport sponsor is ultimately responsible for providing the most current survey data to the FAA. The ADO should also remind the sponsor to be proactive on clearing or mitigating obstacles and providing validation of removal to the FAA prior to the FAA's scheduled review of the flight procedures at the airport. While mitigation of obstacles is an on-going objective, validation of obstacle mitigation prior to a schedule review of flight procedures will significantly enhance the likelihood of continued availability of published approaches.
- The ADO is expected to ensure that the sponsor develops a plan for removing or mitigating obstacles and hazards to air navigation. An airport sponsor that has unmitigated obstacles is expected to develop an Obstacle Action Plan (OAP) that details how and when each of the surfaces will be cleared and maintained. This plan needs to include all approach and departure surfaces, not just the 20:1 surface. Details on the OAP are provided below (see "Sponsor responsibilities"). The

clearance of these surfaces needs to be the focus whenever considering any modifications to an existing runway or proposed new runway or other development projects. The Sponsor is expected to submit the OAP for FAA LOB review through an Aeronautical Study (OE/AAA-NRA Case) requesting concurrence on the clearing plan.

- The ADO is expected to work closely with the airport sponsor to get annual updates to the OAP.
- Both the FAA and airport sponsor are expected to consider obstacle mitigation projects as a high priority when discussing other CIP project funding requests.
- Starting in FY 2016, whenever the ADO meets with the airport sponsor to discuss CIP updates or potential funding requests, the ADO should discuss with the Sponsor the need to establish an obstacle disposition data table in the ALP showing actions for each obstacle. In addition, when reviewing the Project Evaluation Report and Development Analysis (PERADA) items prior to awarding any new grant, the ADO is expected to ensure the sponsor is following the OAP (or is in the process of developing the OAP), and is including obstacle mitigation projects to the maximum extent possible. The ADO may review (but not approve) the OAP as it is the sponsor's responsibility to develop and implement the OAP.
- The FAA has an obligation to highlight any unresolved issue that could jeopardize safety or utility, and thus jeopardize past or future Federal investments. The ADO is expected to ensure that airport sponsors understand that the FAA will consider protracted delays in obstruction mitigation to be a negative factor when considering other grant requests. The airport sponsor must demonstrate feasible and prudent attempts to mitigate the obstacles identified in the OAP. However, if the FAA agrees that it is not feasible to mitigate a particular obstruction, then this will not be used as a sole reason for deciding against or deferring a grant offer.
- The ADO is expected to work closely with the ARP Regional Airspace and Procedures Team (RAPT) lead, the Flight Procedures Team (FPT) and the airport sponsor to ensure timely and accurate information regarding obstacles.

### **Actions Necessary by ARP Regional Personnel**

- The ARP regional RAPT member must be engaged at all RAPT meetings and in coordination with the ADO to monitor the FPT's report on 20:1 penetrations as well as the airport sponsor's Obstacle Action Plan (OAP). The ARP regional RAPT members will coordinate any concerns regarding potential violations of grant assurances or other safety related concerns with the Regional Administrator.

### **Actions Necessary by ARP Headquarters Personnel**

- ARP Headquarters personnel are responsible for working with ATO and AFS to create and update all policy guidance pertaining to the 20:1 visual area and all other approach/departure surfaces with particular focus on surfaces that extend off-airport property.
- AAS-100 is responsible for creating and maintaining the AGIS tool to assist airport sponsors in the identification and visualization of the surfaces. This does not relieve airport sponsors, however, from ensuring that the FAA has current and accurate information.
- ARP technical staff in the Airport Engineering Division (AAS-100) and the Airport Planning and Environmental Division (APP-400) will be available to Regional and ADO personnel as a resource for policy implementation.

### **Roles and Responsibilities of the Airport Sponsor**

As noted previously, the Airport Sponsor is responsible to maintain clear airport approach and/or departure surfaces. This responsibility is derived from the following FAA Grant Assurances:

- Grant Assurance 19 (Operations and Maintenance) states that the airport shall be operated in a safe and serviceable condition and in accordance with appropriate minimum standards required by applicable agencies.
- Grant Assurance 20 (Hazard Removal) states that an airport sponsor must also take appropriate action to ensure that terminal airspace will be adequately cleared and protected by removing, lowering, lighting or otherwise mitigating existing airport hazards and by preventing the establishment of future hazards.
- Grant Assurance 21 (Compatible Land Use) says that an airport sponsor must take appropriate action, to the extent practicable, including the adoption of zoning laws, to restrict the use of land adjacent to the airport to uses compatible with normal airport operations.
- Grant Assurance 29 (ALP) says the sponsor must keep the ALP up to date (obstacles are generally shown on the ALP plan and profile sheets).

### **20:1 Penetrations – On-Airport Property and Off-Airport Property Under Sponsor Control**

- In the case of the 20:1 surface on airport property, or off airport property but which property remains under the land-use planning and/or zoning control of the airport sponsor, the sponsor is required to remove or mitigate penetrations to the 20:1

surface to be in compliance with Grant Assurance 20, Hazard Removal and Mitigation. The FAA will require the sponsor to remove, lower, light, or otherwise mitigate the penetration in accordance with the sponsor's OAP.

- Grant Assurance 21, Compatible Land Use, obligates the airport sponsor to take appropriate actions to control existing and planned land uses in the vicinity of the airport to make them compatible with aircraft operations at the airport. Where the sponsor does have authority to zone or control land use adjacent to the airport, the FAA expects the sponsor to implement zoning ordinances or take other measures to restrict the use of land in the vicinity of the airport to activities and purposes compatible with normal aircraft operations, including appropriate action to avoid or mitigate penetrations to the approach/departure surfaces.

### **20:1 Penetrations – Off-Airport Property Not Under Sponsor Control**

- The FAA recognizes that not all airport sponsors have direct jurisdictional control over uses of property near the airport. However, for the purpose of evaluating airport sponsor compliance with Grant Assurance 21, the FAA does not consider a sponsor's lack of direct authority as a reason for the sponsor to decline to take any action at all to achieve land use compatibility outside the airport boundaries.
- The FAA expects airport sponsors to ensure that neighboring municipalities and other entities that own or control land within the 20:1 surface fully understand the purpose of approach/departure obstacle clearance surfaces, including the risks associated with penetrations of those surfaces. Airport sponsors are expected to have a voice in the affairs of the community where a potential risk to the clearance surfaces is located or proposed. The sponsor should make an effort to ensure proper zoning or other land use controls are in place to protect airport approach/departure surfaces.
- The FAA recommends sponsor to seek out opportunities for land acquisition, land exchanges, right-of-first-refusal to purchase, agreements with property owners regarding land uses, or other means of establishing land-use controls.
- In all cases, the FAA expects airport sponsors to actively seek feasible and prudent opportunities to eliminate, reduce or mitigate risks associated with penetrations to the 20:1 surface anytime there is an ALP update or master plan update.

The Airport Sponsor is responsible for completing and updating an Obstacle Action Plan (OAP). This OAP can vary significantly in size and complexity. It could be just a follow-up plan to the obstruction disposition table that is shown on the ALP or a follow-up to the penetrations identified on the AJV 20:1 master list. Regardless of complexity, it needs to demonstrate the phases necessary to accomplish the mitigation of obstacles penetrating the approach and/or departure surfaces in an expedited manner to the maximum extent possible. The OAP must also address the sponsor's action plan to

maintain clear surfaces. The FAA will add an OAP tracking program to the SAV tool in FY 2016. In the interim, the Airport Sponsor must submit an Excel spreadsheet to the ADO (using a template to be provided by AAS-100).

If the clearance of obstacles is not feasible at a particular time, the airport sponsor is expected to provide documentation of its efforts and the FAA should track the item as an open issue to pursue when a future opportunity arises. However, the Office of Airports does not have the authority to waive or agree to deferral of the sponsor's actions, and has no authority to prevent a restriction from being imposed on the affected Instrument Flight Procedure. Any waivers that are requested must be coordinated between the sponsor and the local Flight Procedures Team.