

## 7.0 FAA COMPLIANCE OVERVIEW AND LAND USE COMPATIBILITY REVIEW AND RECOMMENDATIONS

This chapter provides a general overview of FAA and state airport compliance considerations as they pertain to sponsor obligations and Priest River Municipal Airport. For the purposes of this planning study, a detailed review of existing compatible land use policy, which is a high priority compliance issue, was conducted and recommendations to improve existing policies were made. Review and analysis of other common sponsor compliance related issues was limited to providing a general understanding and recommendations on methods and tools to ensure compliance with sponsor obligations.

### 7.1 AIRPORT COMPLIANCE - EXPECTATIONS OF THE FAA AND IDAHO AERONAUTICS

Priest River Municipal Airport receives both federal and state airport improvement funds; thus as the airport's sponsor, Bonner County is bound by various sponsor obligations. These obligations are described in detail in federal and state grant assurances and state statute and administrative code; they express the commitment made by the airport sponsor to fulfil the intent of the grantor (FAA and state of Idaho) required as a result of accepting federal and/or state funding for airport improvements.

Failure to comply with the grant assurances may result in the request for full repayment of monies to the grantor and/or forfeiture of future funding. The purpose of the grant assurances and other requirements are to protect the significant investment made by the FAA, state, county, and ultimately the taxpayer, to develop and maintain the airport leaving it accessible to the general flying public. Currently there are 39 FAA and 23 state grant assurances. A copy of both FAA and State grant assurances is included in **Appendix E**.

#### 7.1.1 FAA COMPLIANCE PROGRAM AND FAA GRANT ASSURANCES

Policies, procedures, interpretation, administration, and oversight of federal sponsor obligations is generally carried out by the FAA via its Airport Compliance Program. Currently, FAA Order 5190.6B, Airport Compliance Manual, sets forth policies, federal obligations and procedures for the Airport Compliance Program.

Order 5190.6B, states that the FAA Airport Compliance Program is, "...designed to monitor and enforce obligations agreed to by airport sponsors in exchange for valuable benefits and rights granted by the United States in return for substantial direct grants of funds and for conveyances of federal property for airport purposes. The Airport Compliance Program is designed to protect the public interest in civil aviation. Grants and property conveyances are made in exchange for binding

*commitments (federal obligations) designed to ensure that the public interest in civil aviation will be served. The FAA bears the important responsibility of seeing that these commitments are met. This Order addresses the types of these commitments, how they apply to airports, and what FAA personnel are required to do to enforce them."*

It should be noted that Order 5190.6B is not regulatory and is not controlling with regard to airport sponsor conduct; rather, it establishes the policies and procedures for FAA personnel to follow in carrying out the FAA's responsibilities for ensuring airport compliance.

To better understand the intent of the sponsor obligations and the FAA Compliance Program, it is important to understand the FAA's goals for a national airport system of which the Priest River Municipal Airport is a part. The national airport system is known as the FAA National Plan of Integrated Airport Systems (NPIAS). The guiding principles of the NPIAS have been in place since 1946 and, for the most part, have remained unchanged since.

According to the FAA, cooperation between the FAA, state and local agencies should result in an airport system with the following attributes:

- ✦ Airports should be safe and efficient, located at optimum sites, and be developed and maintained to appropriate standards.
- ✦ Airports should be operated efficiently both for aeronautical users and the government, relying primarily on user fees and placing minimal burden on the general revenues of the local, state, and federal governments.
- ✦ Airports should be flexible and expandable, able to meet increased demand and accommodate new aircraft types.
- ✦ Airports should be permanent, with assurance that they will remain open for aeronautical use over the long term.
- ✦ Airports should be compatible with surrounding communities, maintaining a balance between the needs of aviation and the requirements of residents in neighboring areas.
- ✦ Airports should be developed in concert with improvements to the air traffic control system.
- ✦ The airport system should support national objectives for defense, emergency readiness, and postal delivery.
- ✦ The airport system should be extensive, providing as many people as possible with convenient access to air transportation, typically not more than 20 miles of travel to the nearest NPIAS airport.
- ✦ The airport system should help air transportation contribute to a productive national economy and international competitiveness.

While sponsor obligations are contractually based and Order 5190.6B is a primary tool providing guidance to FAA personnel in carrying out the FAA Compliance Program, the program does not attempt to control or direct the operation of airports. As the airport sponsor, Bonner County is responsible for the direct control and operation of the airport. Familiarity and proper implementation of the sponsor obligations, the FAA grant assurances in particular, is key to the

future compliance success. Order 5190.6B and communication with the FAA Northwest Mountain Region Compliance Office are excellent resources for Bonner County to help maintain compliance.

As previously mentioned, there are currently 39 FAA grant assurance associated with receipt of federal Airport Improvement Program (AIP) funding. The assurances are classified by type in **Table 7-1**. While sponsors should understand and comply with all grant assurances, there are several assurances that are common “stumbling blocks” or recurring issues for airport sponsors throughout the country. These are highlighted in the table and discussed in more detail below. Following is brief description of such assurances. All 39 grant assurances in their entirety can be found in **Appendix E**.

**TABLE 7-1: THE FAA’S AIRPORT SPONSOR GRANT ASSURANCES**

| Project Planning/Design & Contracting | General Airport                     | Land Use                       | Day-to Day Airport Management       |
|---------------------------------------|-------------------------------------|--------------------------------|-------------------------------------|
| 2- Sponsor Responsibility             | 1-Federal Requirements              | 6- Consistent with Local Plans | 22- Economic Nondiscrimination      |
| 3- Sponsor Fund Availability          | 4- Good Title                       | 20-Hazard Removal & Mitigation | 23- Exclusive Rights Prohibition    |
| 7- Local Interest Consideration       | 5-Preserving Rights                 | 21- Compatible Land Use        | 26- Reporting Requirements          |
| 8- User Consultation                  | 29- Up to Date Airport Layout Plan  |                                | 38- Hangar Construction             |
| 9- Public Hearings                    | 31- Disposal of Land                |                                |                                     |
| 10-Air & Water Quality Standards      |                                     |                                |                                     |
| 13- Project Accounting/ Reporting     |                                     |                                |                                     |
| 14- Minimum Wage Rates                |                                     |                                |                                     |
| 15- Veteran Preference                |                                     |                                |                                     |
| 16- Plan Conformity                   | <b>Airport Operations</b>           | <b>Leases &amp; Financial</b>  | <b>Other</b>                        |
| 18- Planning Projects                 | 11- Pavement Maintenance            | 24- Fee and Rental Structure   | 12-Air Carrier Terminal Development |
| 30- Civil Rights                      | 19-Operation and Maintenance        | 25- Airport Revenue            | 27-Use by Government Aircraft       |
| 33- Foreign Market Restrictions       |                                     |                                | 28-Land for Federal Facilities      |
| 34- Following FAA Policy              |                                     |                                | 36- Access by Intercity Buses       |
| 35- Property Acquisition & Relocation | <b>Project Construction</b>         |                                | 39- Air Carrier Access              |
| 37- DBE Program                       | 17-Construction Approval            |                                |                                     |
|                                       | 32-Contracting Engineering Services |                                |                                     |

Note: Highlighted assurances represent common airport stumbling blocks.

Source: FAA Order 5190.6B

The airport sponsor should have a clear understanding of and comply with all assurances. The following sections describe the selected assurances highlighted in **Table 7-1** in more detail.

**Duration**

The terms, conditions and assurance of a grant agreement with the FAA remain in effect for the useful life of a development project, which is typically 20 years from the receipt of the last grant. Terms, conditions and assurances associated with land purchased with federal funds do not expire.

## **Project Planning/Design and Contracting**

### Sponsor Fund Availability (Assurance #3)

Once a grant is given to an airport sponsor, the receiving sponsor commits to providing the funding to cover their portion of the project. Currently this amount is typically 10% of the total eligible project cost, although it may be lower depending on the particular project components or makeup; the State of Idaho typically provided 4 to 5% of the total eligible project cost, but lack of budget reduced this participation to 2.5% in the recent years. Once the project has been completed, the receiving airport also commits to having adequate funds to maintain and operate the airport in the appropriate manner to protect the investment in accordance with the terms of the assurances attached to and made a part of the grant agreement.

### Accounting System, Audit, and Record Keeping (Assurance #13)

All project accounts and records must be made available at any time. Records should include documentation of cost, how monies were actually spent, funds paid by other sources and any other financial record associated with the project at hand. Any books, records, documents, or papers that pertain to the project should be available at all times for an audit or examination.

## **General Airport**

### Good Title (Assurance #4 )

The airport owner must have a Good Title to affected property when considering projects associated with land, building or equipment. Good Title meaning the sponsor can show complete ownership of the property without any legal questions, or show it will soon be acquired.

### Preserving Rights and Powers (Assurance #5)

No actions are allowed which might take away any rights or powers which are necessary for the sponsor to perform or fulfill any condition set forth by the assurance included as part of the grant agreement. If there is an action that might hinder any of those rights or powers it should be discontinued. An example of an action which could hamper the rights and powers of the airport is a Through-the-Fence (TTF) activity. TTF activities allow access to airport facilities from off-airport users. In many instances, the airport sponsor cannot control the activities of those operating off the airport resulting in less sponsor control. Further, TTF many times do not pay the same rates and charges as on-airport users resulting in an unfair competitive advantage.

### Airport Layout Plan (ALP) (Assurance #29)

The airport should keep an up-to-date ALP. An ALP should include current and future airport boundaries, facilities/structures, the location of any non-aviation areas, and improvements. No changes should be made at the airport to hinder the safety of operations; also no changes should be made to the airport that is not in conformity with the ALP. Any changes of this nature could adversely affect the safety, utility, or efficiency of the airport. If any adverse changes are made to the airport without authorization, the changes must be altered back to their original condition or the

airport will have to bear all cost associated with moving or altering the change to an acceptable design or location. Additionally, no federal participation will occur for improvement projects not shown on an approved ALP.

#### Disposal of Land (Assurance #31)

Land purchased with the financial participation of an FAA Grant cannot be sold or disposed of by the airport sponsor at their sole discretion. Disposal of such lands are subject to FAA approval and a definitive process established by the FAA. If airport land is no longer considered necessary for airport purposes, and the sale is authorized by the FAA, the land must be sold at fair market value. Proceeds from the sale of the land must either be repaid to the FAA or reinvested into another eligible airport improvement or noise compatibility project. Land disposal requirements typically arise when a community is building a new airport, the land on which the airport was located is sold, and the proceeds used to offset costs of the new airport. In general, land purchased with FAA funds is rarely sold by a sponsor.

### **Airport Operations**

#### Pavement Preventative Maintenance (Assurance #11)

Since January 1995, the FAA has mandated that it will only give a grant for airport pavement replacement or reconstruction projects if an effective airport pavement maintenance-management program is in place. The program should identify the maintenance of all pavements funded with federal financial assistance. The Idaho Transportation Department Aeronautic Division (ITD Aero) has had an active statewide pavement maintenance program since the 1980s. ITD Aero provides airports with a report of their pavement conditions every three years to assist airports in making decisions regarding pavement maintenance and ensure compliance with the federal mandate. The report provides a pavement condition index (PCI) rating (0 to 100) for various section of aprons, runways, taxiways, and a score for overall airport. In the IASP, Idaho recommends that runways in the state be maintained at a PCI of 81 or greater.

#### Operations and Maintenance (Assurance #19)

All federally funded airport facilities must operate at all time in a safe and serviceable manner. The airport sponsor should not allow for any activities which inhibit or prevent this. The airport sponsor must always promptly mark and light any hazards on the airport, and promptly issue Notices to Airmen (NOTAMs) to advice of any conditions which could affect safe aeronautical use. Exceptions to this assurance include when temporary weather conditions make it unreasonable to maintain the airport. Further, this assurance does not require the airport sponsor to repair conditions which have happened because of a situation beyond the control of the sponsor.

## Land Use

### Local Plans (Assurance #6)

All projects must be consistent with City and County comprehensive plans, transportation plans, zoning ordinances, development code, and hazard mitigation plans. The airport sponsor and planners should all familiarize themselves with local planning documents before a project is considered and ensure that all projects follow local plans and ordinances.

In addition to understanding local plans, airport sponsors should be proactive in order to prevent noncompliance with this assurance. Airport sponsor should assist in the development of local plans that incorporate the airport and consider its unique aviation related needs. Sponsor efforts should include the development of goals, policies, and implementation strategies to protect the airport as part of local plans and ordinances.

### Airspace (Assurance #20)

Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace (Part 77), provides the basis for airspace protection requirements at public-use airports at the federal level by identifying and defining critical airspace surfaces. Airspace requirements are determined by the weight of the aircraft that predominantly operate at an airport and the type of instrument approach, existing or planned.

FAA Grant Assurance #20 states, "*Hazard Removal and Mitigation. Airport sponsors will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport will be adequately cleared and protected...*" Communities protect the Part 77 airspace surfaces by defining them in the ALP and further identifying them in ordinance or code and requiring that no object penetrates these airspace surfaces as a result of development.

Communities also protect airspace by encouraging those land uses that are likely to be compatible with the airport operations and prohibiting those uses that are likely to be incompatible with the airport operations. Per Part 77, proponents proposing development at certain height above the ground or within a certain proximity to the airport are required to submit FAA Form 7460-1 to the FAA for FAA determination that such development will not adversely impact airspace or the safety of aircraft operators. For on airport development, Form 7460-1 must either be submitted by the airport sponsor or the sponsor must assure that the leaseholder submits the form appropriately. This form and associated instructions can be found in **Appendix G**.

### Compatible Land Use (Assurance #21)

Land uses around an airport should be planned and implemented in such a manner which ensures surrounding development and activities are compatible with the airport. To ensure compatibility, the sponsor will take appropriate action, to the extent reasonable, including the adoption of zoning

laws. Incompatible land uses around airports represents one of the greatest threats to the future viability of airports today. Further discussion of compatible land use is included later in the chapter.

## Day to Day Airport Management

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

Any reasonable aeronautical activity offering service to the public should be permitted to operate at the airport as long as the activity complies with airport established standards for that activity. Any contract or agreement made with the airport will have provisions making certain the person, firm or corporation will not be discriminatory when it comes to services rendered as well as rates or prices charged to customers. Provisions include:

- ✦ All FBOs on the airport should be subject to the same rate fees, rentals and other charges
- ✦ All persons, firms or corporations operating aircraft can work on their own aircraft with their own employees
- ✦ If the airport sponsor at any time exercises the rights and privileges of this assurance they will be under all of the same conditions as any other airport user would be
- ✦ The sponsor can establish fair conditions which need to be met by all airport users to make the airport safer and more efficient

The sponsor can prohibit any type, kind or class of aeronautical activity if it is for the safety of the airport. An example of an activity which may be considered for prohibition is sky diving. It is important to point out that the FAA will review such prohibitions and will make the final determination as to whether or not a particular activity type is deemed unsafe at the airport based on current operational dynamics.

### Exclusive Rights (Assurance #23)

Exclusive Rights at an airport is a subject which can be complicated and is usually specific to individual airport situations. The assurance states the sponsor “*will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public...*” There are exceptions to this rule. If the airport sponsor can prove that bringing in similar business would be unreasonably costly, impractical or result in a safety concern, the sponsor may consider granting an exclusive right. To deny a business opportunity because of safety, the sponsor must demonstrate how that particular business will compromise safety at the airport. Exclusive rights are very often found in airport relationships with fixed base operations (FBO) but exclusive rights can also be established with any other business at the airport which could assist in the operation of an aircraft at the airport. If an unapproved exclusive rights agreement exists, it must be dissolved before a future federal grant is awarded to the airport.

If a sponsor is contemplating denial of a business use at the airport, it is strongly encouraged that they contact their FAA Airport District Office (ADO) in order to ensure that they have all necessary information and that denial of access is not going to be seen as unjust discrimination. For more in

depth information on exclusive rights reference Advisory Circular 150/5190-6, Exclusive Rights at Federally Obligated Airports.

## Leases and Financial

### Fee and Rental Structure (Assurance #24)

Simply put, the fee and rental structure at the airport must be implemented with the goal of generating enough revenue from airport related fees and rents to become self-sufficient in funding day to day operational needs. The airport sponsor should be constantly monitoring its fee and rental structure to ensure reasonable fees are being charged to meet this goal. Common fees and rents charged by airports include fuel flowage fees, tie-down fees, landing fees and hangar rent.

### Airport Revenue (Assurance #25)

Revenue generated by airport activities must be used to support the continued operation and maintenance of the airport. Use of airport revenue to support or subsidize other non-aviation activities or functions of the sponsor is not allowed and is considered revenue diversion. Revenue diversion is a significant compliance issue subject to cause scrutiny by the FAA.

## 7.1.2 OTHER FAA COMPLIANCE REQUIREMENTS

### **Other Federal Contracting and Procurement Documents**

Whenever an airport sponsor accepts an AIP grant from the FAA, the sponsor agrees to adhere to various federal contracting and procurement requirements. Advisory circulars are required for use in AIP funded projects. Included in each grant request is a federal funding checklist that identifies the requirements an airport should consider before accepting the grant.

The following items are noted in the checklist:

- ✦ ALPs should be up to date
- ✦ Exhibit A Property Map may need to be updated after the acquisition of additional property
- ✦ Land Inventory may need to be updated if land has been recently acquired with federal assistance
- ✦ Airports must hold good title to the airport landing area
- ✦ Appropriate signage and markings must be in place
- ✦ RPZ and approach surface deficiencies must be identified and steps to address deficiencies must be noted
- ✦ RSAs must meet FAA standards if planning a runway project
- ✦ DBE program goals must be met on projects more than \$250,000
- ✦ Procedures should be in place to handle bid protests

- ✦ Open AIP grant projects need to be identified
- ✦ Project closeout form must be submitted within 90 days of work completion
- ✦ A “Certification of Economic Justification” must be included for routine pavement maintenance projects
- ✦ A “Revenue Generating Facility Eligibility Evaluation” must be completed for hangar construction or fueling facilities
- ✦ A “Reimbursable Agreement” and “Non-Fed Coordination” must be completed for navigational aid projects
- ✦ A “Relocation Plan” must be completed if a project requires residences or businesses to be relocated.

### Special Conditions

In addition to the standard grant assurances discussed above, the state or the FAA may require “Special Conditions” to individual grants which supplement or expand the standard grant assurances. Special Conditions are unique to an individual airport and can be project or administrative in nature. Airport sponsors need to be aware of such conditions that may be applied to their airport.

### Multijurisdictional Challenges

In some instances, airports are jointly owned and operated by more than one airport sponsor. In other instances, airports may be located within multiple jurisdictions. While the official airport sponsor is ultimately responsible for adherence with the grant assurance, the actions, or inactions, of surrounding jurisdictions can and do impact the airport sponsor’s ability in meeting its sponsor obligations.

This is particularly true with land use compatibility issues around airports. As a result, it is important in either circumstance that all jurisdictions affected by the airport understand the operational needs and complexities of having an airport within its jurisdiction. Mutual agreements addressing airport operational or land use protection needs, or other cooperative measures, are recommended by all jurisdictions to both protect the functionality of the airport as well as the safety and well-being of airport user and neighbors.

#### 7.1.3 IDAHO DIVISION OF AERONAUTICS GRANT ASSURANCES

Like the FAA, ITD Aero has sponsor obligations associated with receipt of Idaho Airport Aid Program (IAAP) funds. Currently, there are 23 state grant assurances. In addition to the grant assurances, the state also has requirements in state statute and administrative code imposed by receipt of IAAP funding. Unlike the FAA, ITD Aero does not actively maintain an official Compliance Program. Currently, oversight and enforcement of the state’s airport grant assurances and other requirements is carried out by the Administrator of ITD Aero and staff.

The state grant assurances and requirements are briefly summarized in **Table 7-2** and described in detail in **Appendix E**. Readers will note the similar intent to the FAA requirements.

**Table 7-2: ITD Idaho Airport Aid Program Grant Assurances**

| Project Related  | General Airport Operations  |
|--|---|
| 2- Timely Completion   | 1- Comply with Non-Discrimination Regulations                     |
| 3- Completion According to Plans   | 7- Remain Open  |
| 4- Follow Construction Bidding Procedures  | 8- No Exclusive Use   |
| 5- Property Appraisals for Acquisitions  | 16- Develop Airport According to ITD Standards                    |
| 6- Proof of Funding  | 17- No Activities that Interfere with Operations                  |
| 9- Costs Eligibility   | 18- Allow All Safe Aeronautical Activities                        |
| 10- Commencement Date Report   | 19- Allow People to Service Own Aircraft                          |
| 11- Progress Reports   | 20- Airport Generated Revenue Should be Used for Airport Purposes |
| 12- Approval for Changes   | 21- Approved Master Plan or Airport/Heliport Layout Plan          |
| 13- Completion Report/Inspection Request   | 22- Proof of Ownership or Lease of All Land                       |
| 14- Allocation Agreement in Effect Throughout Useful Life of the Project, Not to Exceed 20 Years | 23- Compatible Land Use and Height Zoning                         |
| 15- Allocation Agreement   |   |

Source: ITD Division of Aeronautics

The above information only provides a brief summary of the grant assurances. As the airport sponsor, Bonner County is encouraged to read all grant assurances and become familiar with the requirements of the sponsor obligations using the available resources as provided by the FAA and ITD Aero. Compliance with grant assurances, or lack thereof, is frequently a legal consideration the resolution of which requires expert legal advice preferably from legal counsel familiar with FAA policy and compliance.

**7.2 COMPLIANCE AND PRIEST RIVER MUNICIPAL AIRPORT**

A cursory review of existing and potential compliance issues was conducted as part of this planning effort. This review was completed based on recent guidance from the FAA Northwest Mountain Region. As stated in the introduction, the main focal point of the work effort associated with the compliance review was on land use compatibility around the airport.

Given the existing urbanized area around the airport, land use compatibility presents significant challenges at Priest River Municipal Airport and detailed analysis and recommendations relating to compatible land use are included in the next sections of this chapter.

No other significant existing or potential issues were discovered during the review. There are no existing or proposed Through-the-Fence activities and all obstacles/obstructions in the airspace are accounted for. As the airport does not currently provide fuel, the County does not currently charge a fuel flowage fee.

### 7.2.1 INCOMPATIBLE LAND USES AND THE ABSENCE OF APPROPRIATE ZONING CONTROLS

Appropriate zoning controls are lacking around the airport. Bonner County should be proactive in developing compatible land use planning around the Airport and continued, active development and implementation of compatible land use is necessary. Recommendation for the steps the County and the City of Priest River should consider ensuring long term land use compatibility at the airport can be found in 7.6, Recommended Improvements to Existing Land Use Regulations in City of Priest River and Bonner County.

### 7.2.2 EXISTING “THROUGH-THE-FENCE” ACCESS FOR AIRCRAFT BASED OFF AIRPORT PROPERTY

Bonner County does not permit any “Through-the-Fence” access or activity. Airport and County policy should continue to discourage such activity in the future.

### 7.2.3 REVENUE DIVERSION (INCLUDING IMPROPER USE OF AIRPORT PROPERTY)

No indications of revenue diversion were identified at the airport. Bonner County should continue to analyze all existing uses of airport property to ensure that all tenants are appropriately contributing to the airport’s revenue stream.

### 7.2.4 ON-AIRPORT RESIDENTIAL USE

The only on-airport residential use consists of a building for the Airport Caretaker. On-Airport Residential Use, except for the Airport Caretaker if needed, should continue to be discouraged in the future.

### 7.2.5 NON-AERONAUTICAL LOCAL EVENTS CLOSING THE AIRPORT OR A RUNWAY

Priest River Municipal Airport does not host or support any non-aeronautical events that would close the runway or airport. Such events should continue to be discouraged.

### 7.2.6 TREES OR STRUCTURES

There are several obstructions in the immediate vicinity of the airport located within the defined airport safety areas or Part 77 imaginary surfaces. These obstructions include roads and trees, but also hangars and buildings. These are highlighted and have been discussed previously in this report. It is recommended these obstacles be either removed or lighted. Further, improvements to the current airspace zoning ordinance are recommended to prevent future hazards.

### 7.2.7 GENERAL RECOMMENDATIONS

Following are some recommended strategies and tools Bonner County should consider to assist in effectively maintaining and operating the airport and ensuring compliance with the sponsor obligations.

- ✦ Have a designated point of contact such as an appointed airport manager or County representative available to conduct airport business and respond to emergencies when needed.
- ✦ Develop a reoccurring educational program to educate County Commissioners, the Airport Board, legal counsel, potential FBO, Tenants, and the general public about the sponsor obligations and the grant assurances. It is particularly important to target the County Commissioners and the Airport Board as members of these bodies can and do change often. Educating new members about sponsor obligations is critical to ensure informed decisions while maintaining compliance with grant assurances.
- ✦ Use airport facilities for aeronautical purposes only, unless otherwise specified by the airport and approved by the FAA.
- ✦ Perform services in a non-discriminatory manner regardless of race, creed, color, national origin, or sex.
- ✦ Actively promote compatible land use around the airport.
- ✦ Consider the development of Minimum Standards and Rules and Regulations documents. These documents help ensure all airport users and tenants are conducting operations and activities with the same understanding and knowledge of what is acceptable at the airport. If an issue of concern arises, having these documents at hand can assist in addressing problems promptly and on a consistent basis. See Advisory Circular (AC) 150/5190-7, Minimum Standards for Commercial Aeronautical Activities.
- ✦ Maintain a current and up-to-date aircraft roster of all based aircraft, this should include but not be limited to; aircraft tail number, aircraft type, aircraft model, and aircraft owner's name
- ✦ No exclusive rights should be extended to any business on the airport which is performing aeronautical activities. See AC 150/5190-6, Exclusive Rights at Federally Obligated Airports.
- ✦ Develop a routine self-inspection program including the completion of a safety inspection checklist. See AC 150/5200-18C, Airport Safety Self Inspection.
- ✦ The County should have an emergency procedure plan in place and all County employees and lessees responsible for the maintenance and operation of the airport should be familiar with the plan in the event of an emergency.
- ✦ Bonner County should annually compare the Airport's fees and rental structure with those offered at other airports in the region and evaluate market value for similar services and fees.
- ✦ The County should continually monitor the financial demands of the Airport and consider adjustments to existing fees and the addition of new fees as airport activity and needs dictate. Possible new revenue sources to consider include overnight parking fees, commercial user fees, fuel flowage fees if fuel becomes available as well as special events that could generate income.

### **7.3 LAND USE COMPATIBILITY PLANNING AROUND THE PRIEST RIVER MUNICIPAL AIRPORT**

Airports typically represent an important asset to many communities. They provide the community access to essential services such as life flight, agricultural and firefighting activity to name a few. Many airports also serve as a vital local, regional, state and national point of connectivity. As a result, the airport also represents an important economic engine by directly providing local jobs as well as other indirect economic impacts to a community.

According to the ITD Aero Individual Airport Summary, completed in 2009, the estimated total airport impact is 55 jobs, a total payroll of \$2.0 million and a total economic activity of \$8.4 million. Per this summary, two area businesses depend on the airport: Northland Aviation and Aerocet Floats. However, Northland Aviation was dissolved in 2009 and no longer operates a business in Priest River. The airport's manager and users of the airport also advise that Quest Kodiak occasionally uses the airport.

Airports are unique in that their operations can have far reaching impacts. While located in one jurisdiction, aircraft operations can and do impact nearby communities. Effective compatible land use planning by communities adjacent to an airport is important because such measures not only protect the airport but they also protect the surrounding communities from the impacts of typical airport operations.

As many communities in Idaho continue to grow, it is important that proactive efforts are undertaken by each community to protect the airport, and its citizens, from future incompatible growth. Further, ineffective airport land use planning degrades the daily business and functionality of the airport, restricts its growth potential, and introduces significant obstacles to economic development in the community. These limitations can be mitigated by the implementation of effective compatible land use planning

#### **7.3.1 COMPONENTS OF EFFECTIVE AIRPORT COMPATIBLE LAND USE PLANNING**

Effective compatible land use planning protects the airport and community from height, safety and noise concerns. In many instances, a community's willingness to take a proactive approach in addressing compatible land use planning prevents the need to be reactive and also prevents more severe conflicts down the road. Effective, comprehensive land use compatibility plans take such considerations into account and incorporate both height restrictive and basic land use restrictions via zoning. Coupled with other proactive measures, such as voluntary noise abatement programs and selective fee-simple land acquisition, proactive planning around the airport will protect both the airport and the surrounding community.

It is important to point out there is a very distinct difference between height restriction zoning and basic land use zoning. As its name implies, height restriction zoning generally conforms to CFR

Part 77 with the intent of protecting the airspace around an airport from objects or structures which may pose hazards to aircraft operators. On the other hand, the intent of land use zoning should be to prevent incompatible land uses from being allowed near an airport where the impacts of airport operations, such as noise and/or aircraft accidents, can have a potentially negative impact on that land use or the impact of the incompatible land use can have a potentially negative impact on the airport.

### 7.3.2 **IMPORTANT AIRPORT LAND USE PLANNING CONSIDERATIONS AND CHALLENGES**

When considering land use planning around the Priest River Municipal Airport, understanding the following challenges and considerations will be helpful:

#### **Encroachment of Incompatible Development**

One of the greatest threats to the viability of airports today is the encroachment of incompatible land use. Encroaching incompatible land use poses a significant threat to the state and national airport system as well as the communities they serve. More recently, FAA and ITD Aero have been working with Idaho's airports to strengthen airport land use compatibility policies and practices to reverse this trend.

Priest River Municipal Airport is located in a heavily urbanized and developed area, and surrounded by residential uses. Effective compatible land use planning and zoning are necessary to prevent future and additional incompatible land uses in the immediate vicinity of the airport.

#### **Safety and Quality of Life**

Proactive planning around the airports ensures the safety of both aircraft operators and airport neighbors from potential aircraft accidents. It also protects the quality of life of airport neighbors by ensuring they are not impacted by the noise, dust and fumes associated with airport operations.

#### **Jurisdiction**

As mentioned in 7.1.2, one major challenge airport owners face when promoting compatible land use is lack of jurisdiction. Airport operations and associated potential impacts (i.e. safety, noise, dust, fumes) can and do extend beyond the physical boundary of the airport property. Though the airport owner is liable for adherence to the FAA and ITD Aero grant assurances, in many instances surrounding jurisdictions have control of land in the vicinity of the airport, not the owner, thus the owner has no say in land use policies and decisions. Surrounding jurisdictions are not required to actively plan for airport compatibility.

This is particularly true around the Priest River Municipal Airport. While county owned and operated, the airport is surrounded by the City of Priest River.

It should be noted that neither the FAA nor ITD Aero have jurisdiction over local land use nor do they have any enforcement authority to stop incompatible encroachment. As such, local communities are heavily relied upon and responsible for undertaking such efforts. Future continued coordination with the City of Priest River regarding compatible land use planning around the airport will be critical to the protection of the airport and surrounding communities.

### **Sponsor Obligations and Grant Assurances**

As previously discussed, grant assurances include specific requirements that the County protect the airport's airspace and prevent incompatible land uses around the airport through zoning. Failure to do so may result in the FAA and ITD Aero no longer funding the airport if they do not believe the County has taken reasonable steps to protect the airports from incompatible development. The duration of these grant assurances is a period of 20 years from when the County received the last grant with the exception of grant assurances associated with land acquisitions. The grant assurances associated with land acquisitions exist into perpetuity or until the land is sold (at fair market value) and the grant monies are paid back to the FAA.

### **Protection of local, state and federal investment**

Priest River Municipal Airport has received substantial financial investment from the FAA and ITD Aero for many years. The County itself has invested significant funding into the airport to both operate and maintain it. Proactive planning around the airport, including effective land use zoning, will help ensure the airport is protected and can operate for the long term thus protecting the substantial federal, state, and local investment.

As the FAA and ITD Aero consider future investments at the airport, a major consideration is the community's willingness to protect the investment. This begins with effective compatible land use planning.

### **Economic Benefit**

Priest River Municipal Airport provides an important economic benefit to the County and its citizens. As previously mentioned, per the ITD Aero Individual Airport Summary, completed in 2009, the estimated total airport impact is 55 jobs, a total payroll of \$2.0 million and a total economic activity of \$8.4 million. Users such as businesses and corporations use the airport and contribute to the local economy. Priest River Municipal Airport needs to be protected so it can continue to provide access to the community and economic benefits for many years to come.

### **7.3.3 FAA AND ITD AERO LAND USE RELATED GRANT ASSURANCES AND REQUIREMENTS**

As previously highlighted in Section 7.1.1, the FAA and ITD Aero grant assurances, Idaho Code, and state Administrative Code include specific requirements applicable to airspace protection and compatible land use. Following is a brief summary of FAA and state requirements as well as

considerations associated with FAA and state requirements for airspace and compatible land use planning.

## FAA

In recent years, the FAA has become more active in working with airport sponsors in encouraging compatible land use planning around airports as a condition of their grant assurances. As reiterated from Section 7.1.1, there are three critical grant assurances sponsors need to be aware of related to land use planning:

- ✦ Local Plans (Assurance #6)
- ✦ Airspace (Assurance #20)
- ✦ Compatible Land Use (Assurance #21)

## ITD Aeronautics

Current ITD Aero grant assurances related to airspace and compatible land use planning include:

- ✦ The Sponsor cannot allow any activity or action on the airport that would interfere with its use for airport purposes.
- ✦ The Sponsor should have compatible land use and height zoning for the airport to prevent incompatible land uses and the creation or establishment of structures or objects of natural growth which would constitute hazards or obstructions to aircraft operating to, from, on, or in the vicinity of the subject airport.

Idaho Administrative Code, IDAPA Code 39, Title 4, Chapter 2 - Rules Governing Marking of Hazards to Air Flight (IDAPA 39.04.02), and Chapter, Title 4, Chapter 4, Rules Governing the Idaho Air Program (IDAPA 39.04.04), include the following state requirements related to airspace protection in Idaho:

### IDAPA 39.04.02

Establishes the requirements for marking of hazards to air flight through the airspace of and over the state of Idaho in order to protect and ensure the general public safety, and the safety of persons operating, using or traveling in aircraft.

### IDAPA 39.04.04

The sponsor should have the airport zoned to prevent the creation or establishment of structures or objects of natural growth which would constitute hazards or obstructions to aircraft operating to, from, or in the vicinity of the subject airport.

## IDAHO STATE LAND USE LEGISLATION

Idaho Senate Bill 1265 effective July 1, 2014 amended Idaho Code Title 21, Chapter 5, Airport Zoning Act, and Title 67, Chapter 65, Local Land Use Planning. Aimed at requiring more proactive land use compatibility planning around the state's airports by city and county entities through the local comprehensive planning process. The legislation resulted<sup>9/</sup> in closer collaboration between local zoning authorities, local airport authorities and ITD Aero in the interest of flight and community safety. The main provisions of the new legislation are as follows:

- ✦ Repeals ITD Aero' authority in Title 21, Chapter 5, Sections 21-503 through 21-508, and part of Section 21-502 503, to adopt, administer, and enforce land use planning and zoning zone for airports and requires the political subdivision having zoning ordinance authority (i.e. counties and cities) to complete planning and zoning around airports in accordance with Title 67, Chapter 65. As written, this legislation maintains the requirement for ITD Aero to continue to protect the State's airspace and regulate aviation hazards as identified in the remainder of Title 21.
- ✦ Identifies; in 67-6502; public airports as essential community facilities that provide safe transportation alternatives and contribute to the economy of the state.
- ✦ Requires; in 67-6508; that planning and zoning commissions consider as part of their comprehensive plan, with the assistance of ITD Aero (if requested by the local agency) and the local airport manager (or person in charge of the airport), the current and future needs and community impacts of the airport. **Political subdivisions must now include a separate section "q" in their comprehensive plans specifically addressing Public Airport Facilities within their jurisdiction or if impacted by an airport outside their jurisdiction.**
- ✦ Requires; in 67-6509, 67-6512, 67-6515A, and 67-6516; that planning and zoning commissions (and their governing boards) notify the local airport manager (or person in charge) when recommending, adopting, amending, repealing their comprehensive plan. In addition, the notification requirement pertaining to the local airport manager (or person in charge of the airport) applies to other land use actions that require public notice (i.e. Special Use Permits, Conditional Use Permits, Transfer of Development Rights, Variances, etc.) when encroaching on the airport or which may create an aviation hazard.

It is important to note that the inclusion of airport related goals and strategies related to compatible land use planning in the comprehensive plan creates the necessary legal mechanism for the airport sponsor to consider and implement zoning around airports as part of the local planning and zoning process under current state law.

#### 7.3.4 CONTINUAL PLANNING PROCESS

Land use planning needs in a community can and do change. The County should create a formal process for policy development that identifies the airport land use planning process as a critical component of its community and comprehensive planning process. To assist in developing effective airport land use policy, it is also important to establish the identification of stakeholders who may be impacted by the airport **or** have an impact on the airport. Such stakeholders could include airport tenants/users, surrounding jurisdictions, in particular the City of Priest River, and adjacent neighbors and businesses. Proactive coordination with these stakeholders can greatly improve compatible land use efforts in the future.

## **7.4 EXISTING LAND USE REGULATIONS IN BONNER COUNTY**

The role of the local comprehensive planning process and the recommendations included in a community's comprehensive plan is vital to the implementation of zoning ordinances. Following is a summary of both City of Priest River and Bonner County Comprehensive Plan and Zoning Ordinances as they relate to the airport.

### **7.4.1 BONNER COUNTY COMPREHENSIVE PLAN**

Priest River Municipal Airport is located in Bonner County and is owned and operated by the County. Airports are part of the Transportation Component of the Plan. The chapter airports summarizes various aspects of the public-use airports located in Bonner County including the Sandpoint and Priest River Municipal Airports. Information such as facilities, activity levels, economics, and future are analyzed in this section.

Comprehensive plan updates suggested including additional text that supports utilizing proactive land use techniques and integrating the airport master plan with Bonner County's Comprehensive Plan bringing it in compliance with newly revised FAA guidance.

Effective land use planning for airports comes from proactive planning and zoning by the local jurisdictions, namely the local cities and counties. The city of Priest River and Bonner County should continue to update and modify the County Comprehensive plan as necessary to provide adequate protection for the public's investment in Priest River Municipal Airport. Bonner County has recently updated the Comprehensive Plan to help bring it in compliance with new Idaho State laws pertaining to airport planning, airspace protection, and zoning.

### **7.4.2 AIRPORT ZONING ORDINANCE**

Title 12, Chapter 5 – Overlay Districts, Subchapter 5.2 of the current Bonner County Revised Code includes an Airport Overlay District (AOD). As written, the current AOD, as published on the codifiers website, seems to be specifically applicable to “the Bonner County Airport” with no specific reference to the Priest River Municipal Airport. That being said, the code seems to apply generally to all public use airports in Bonner County. Section 12-522, Airport Zone Height

Limitations states that, “*Except as otherwise provided in this chapter, no structure or tree shall be erected, altered, allowed to grow or be maintained in any zone created by this chapter to a height in excess of the applicable height limit herein established for such zone.*”

#### 7.4.3 SURROUNDING JURISDICTION COMPREHENSIVE PLANS

Priest River Municipal Airport is located within the City limits of Priest River. Bonner County does not have jurisdiction to regulate the land use within the City of Priest River. As a critical community within Bonner County, understanding the City’s development goals that relate to Priest River Municipal Airport is important.

A review of the Priest River comprehensive plan was conducted. The current plan was adopted in 2013 and does not mention the Priest River Municipal Airport. The City of Priest River Planning and Zoning Administrator did advise that efforts are underway to update the comprehensive plan and include Priest River Municipal Airport.

Similar to the County’s comprehensive plan, the City’s plan should seek to continually meet the new state law for addressing public airport facilities in a comprehensive plan. Continual adaptation of detail about the airport is necessary to ensure effective future land use planning around the airport.

#### 7.4.4 SURROUNDING JURISDICTIONS AIRPORT HAZARD ZONING ORDINANCE

In the city’s current zoning ordinance, Ordinance 279, Zoning Ordinance, the airport is mentioned in Section IV, General Provisions, and Section V, Supplemental Regulations. Subsection 4.1.5 states that, “*...development close to the airport shall be restricted with airport approach areas as required by the State Department of Transportation, Division of Aeronautics and Public Transportation and Federal Aviation Administration.*” Subsection 5.7.6 establishes height limitations on various structures that, “*...will constitute and hazard to the safe landing and take-off of aircraft at an established airport.*”

### 7.5 AIRPORT NOISE

Noise contours, which represent levels of noise exposure, have been prepared at Priest River Municipal Airport. The noise metric used for this study is the Day Night Average Sound Level (DNL). This metric is used to quantify noise levels at many airports in the United States and represents the 365-day average, in decibels, day-night average sound level. It should be noted that the DNL is an average noise level; this metric does not take into account the peak noise level that can occasionally be experienced at any locations. In addition, some people can be more sensitive to noise and the level of annoyance can depend on the time of the day, the time of the year, but also the activities of the people.

Areas below DNL 65 decibels are considered to be compatible with all land uses. In addition, residential or school uses can be allowed within the DNL 65 to 75 decibels range, if measures to achieve outdoor to indoor Noise Level Reduction (NLR) of at least 25 dB and 30 dB are achieved.

Additional information on the process and methodologies used to prepare these noise contours are included in **Appendix H**.

Noise Contours were prepared for Priest River Municipal Airport for the base year (Year 2014) and the long-term forecast (Year 2034). **Figures 7.1 and 7.2** depict the DNL 60 to DNL 85 (with 5 DNL increments) noise contours for the base year and the long-term forecast (Year 2034).

The area encompassed by the long-term noise contour is slightly larger than that of the base year. The total area of the 65 DNL noise contour is 101.6 acres in 2014 and is expected to be 119.2 acres in 2034. As depicted in **Figures 7.1 and 7.2**, significant portions of the DNL 65 extend beyond the airport property limits and Priest River Municipal Airport does not control significant portions of this noise contour. Having entire control of the DNL 65 mitigates for incompatible land uses and enhances noise control.

At busier and larger airports, the FAA funds FAR Part 150 Airport Noise study to guide and control aviation noise compatibility on and around airports. Mitigation measures to prevent non-compatible uses are then established. In addition, for existing uses, mitigation measures can include assistance to improve isolation, or even acquisition and relocation.

Several buildings, including residential buildings, barns, sheds and maintenance buildings are in the DNL 65 noise contour. Priest River Municipal Airport is a General Aviation Airport only and these maps are for informational purposes only. This study is not part of a FAR Part 150 and the aim is only to provide information to the airport and the County, not to make any determination. It is recommended that the pilots using the airport be mindful of the residents and communities in the vicinity of the airport, especially at night and avoid as much as possible flying over residential buildings.

FIGURE 7-1: 2014 NOISE CONTOURS

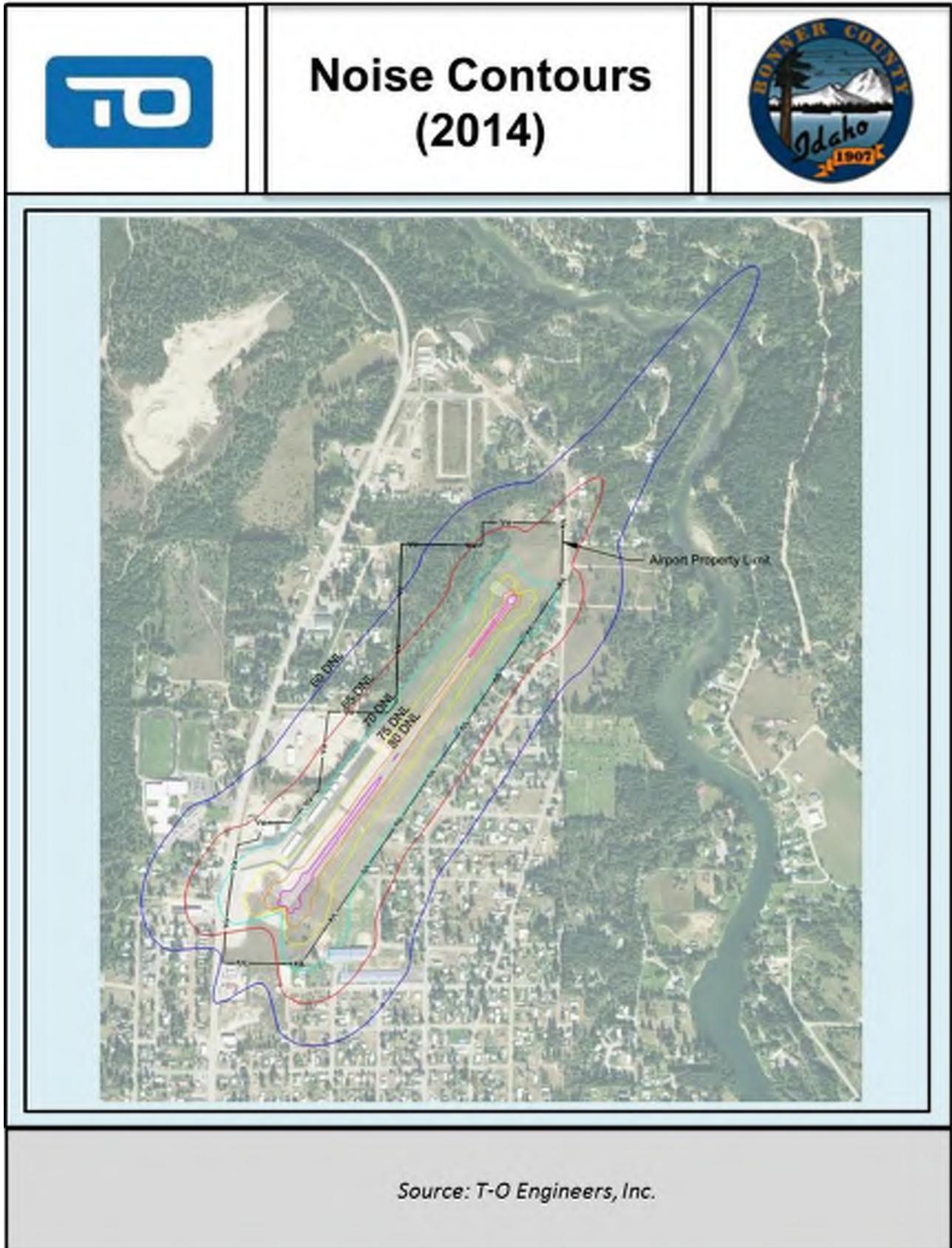
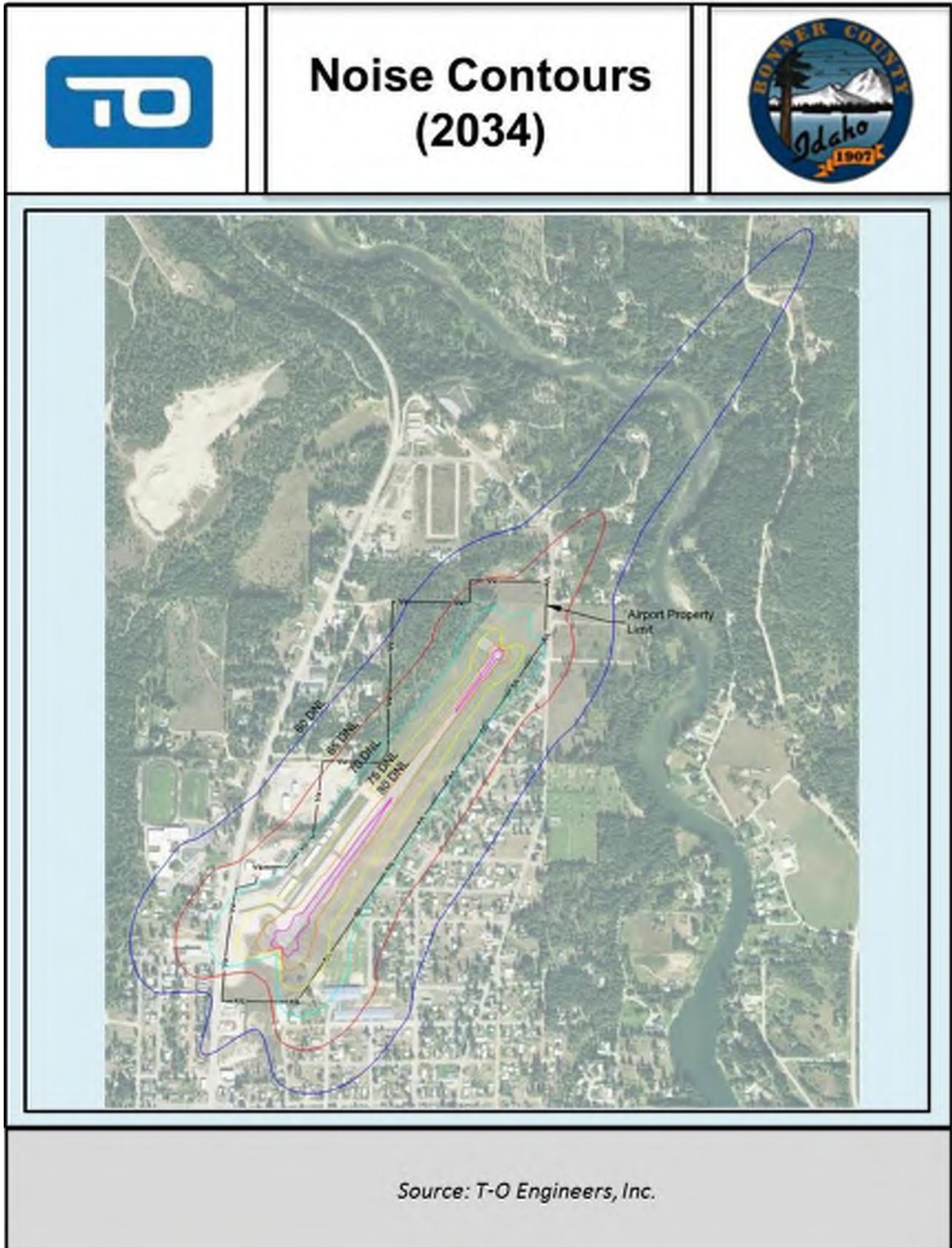


FIGURE 7-2: 2034 NOISE CONTOURS



## 7.6 RECOMMENDED IMPROVEMENTS TO EXISTING LAND USE REGULATIONS IN CITY OF PRIEST RIVER AND BONNER COUNTY

Based on the analysis completed as part of this master planning process, following are several recommend actions to improve land use compatibility planning around Priest River Municipal Airport:

- ✦ Adhere to appropriate state and FAA requirements and guidance regarding airspace protection and prohibit future land uses which are incompatible to airport operations.
  
- ✦ Continually revise, as necessary, the County's zoning ordinance to be more detailed regarding land use compatibility around the airport. This includes specific ordinance language that identifies and projects the federally defined Part 77 airspace surfaces and recommended land uses via the establishment of land use compatibility zones around the airport.

**Figure 7-3** depicts an example Off-Airport Land Use Map. The map includes a recommended airport influence area, traffic pattern area, and critical zones. A Land Use Compatibility Table with recommended land uses within each zone is also included for inclusion with the map (**Table 7-3**). A model zoning ordinance and fair disclosure statement language is included in **Appendix G** of this report.

- ✦ Recognize the airport impacts to the community and the community impacts upon the airport and commit to an effective and cooperative airport land use planning effort designed to protect and preserve airport operations, economic prosperity, and quality of life in addition to safety provisions for both the community and its airport.

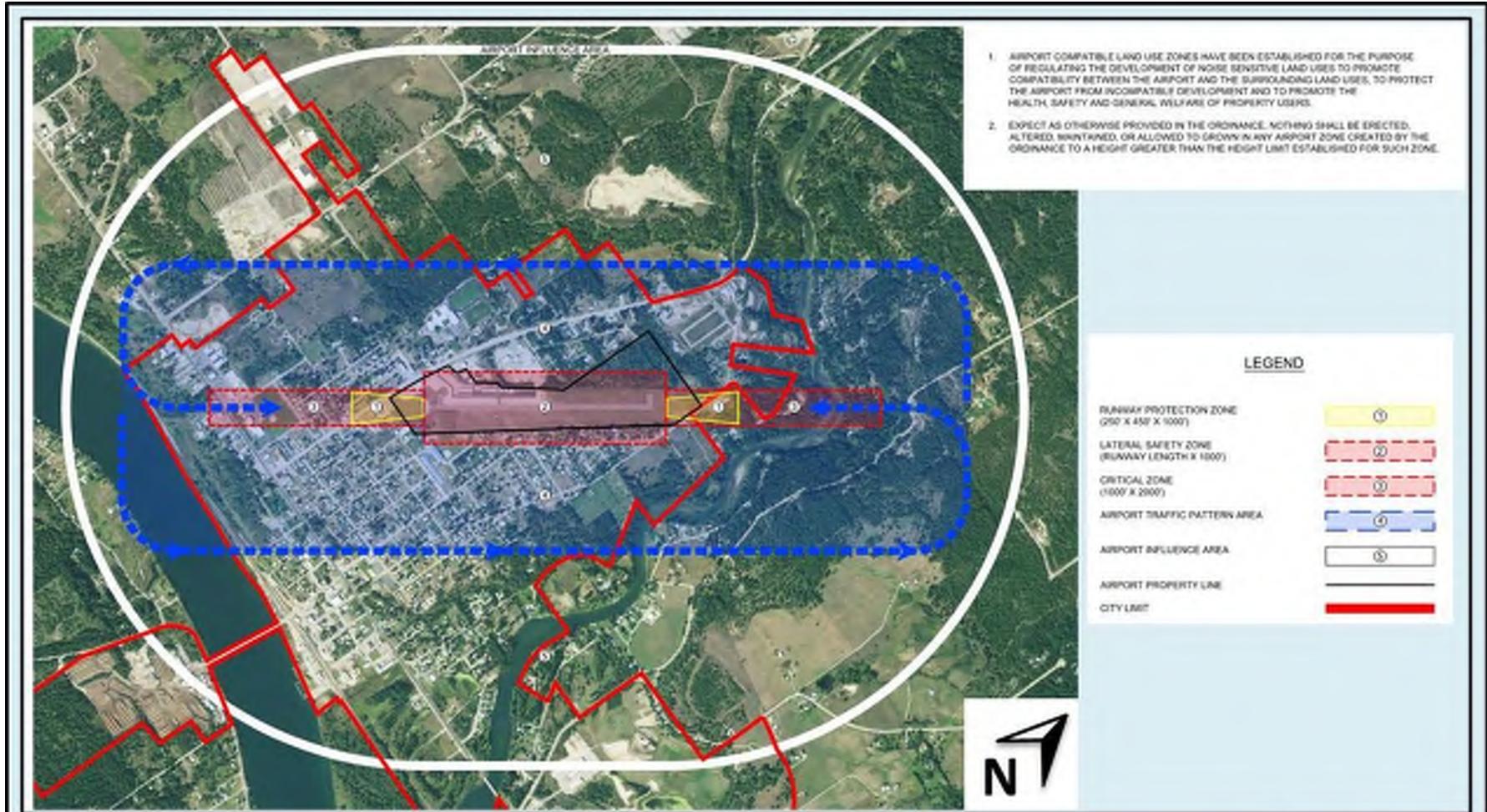
Coordinate to ensure multi-jurisdictional cooperation between the County and surrounding jurisdictions, especially the City of Priest River, as it relates to the airport and land use planning. This includes coordination with the City of Priest River to improve its comprehensive plan and zoning ordinance language related to land use planning around the airport and to meet the new state law as it relates to the comprehensive plan. Priest River Municipal Airport is located within the city limits of Priest River and due to the airport's proximity and potential impacts to this city, it is important it recognizes the airport in its comprehensive planning process, especially as Bonner County does not have authority to regulate the land use within this city.

Mechanisms to achieve this goal could include establishing a Memorandum of Agreement, or other similar intergovernmental agreement, with the City to adopt similar land use zoning as recommended herein ensuring the consistency and effectiveness of compatible land use around the Priest River Municipal Airport.

- ✦ Create a formal process for policy development that identifies the airport land use planning process as a critical and continual component of its community and comprehensive planning process.
- ✦ Update the Airport Master Plan. It is critical that the County monitors and updates the Airport Master Plan as the airport's Master Plan identifies the specific needs of the airport and provides a foundation around which policy can and should be developed. On average, it is recommended that the airport master plan be updated every 7-10 years or as changing circumstances at the airport warrant.

A primary source for guidance to assist you with the implementation of the compatible land use planning recommendations in this document is the ITD Aero staff and its Idaho Airport Land Use Guidelines.

FIGURE 7-3: OFF AIRPORT LAND USE PLAN



# Off Airport Land Use Plan

Source: T-O Engineers, Inc.



TABLE 7-3: LAND USE COMPATIBILITY TABLE

| Land Use  | 1<br>Runway Protection Zone | 2<br>Lateral Safety Zone | 3<br>Inner Critical Zone | 4<br>Outer Critical Zone | 5<br>Traffic Pattern Area | 6<br>Airport Influence Area | 7<br>Buffer Zone |
|---|-----------------------------|--------------------------|--------------------------|--------------------------|---------------------------|-----------------------------|------------------|
| <b>Residential</b>  |                             |                          |                          |                          |                           |                             |                  |
| Single-family, nursing homes, multi-family, apartments, condominiums, mobile home parks   | Red                         | Red                      | Red                      | Yellow                   | Yellow                    | Yellow                      | Yellow           |
| Transient lodging (i.e. hotels and motels)  | Red                         | Red                      | Red                      | Yellow                   | Yellow                    | Yellow                      | Yellow           |
| <b>Public</b>   |                             |                          |                          |                          |                           |                             |                  |
| Schools, libraries, churches  | Red                         | Red                      | Red                      | Red                      | Yellow                    | Yellow                      | Yellow           |
| Parking and cemeteries  | Red                         | Green                    | Yellow                   | Yellow                   | Green                     | Green                       | Green            |
| <b>Commercial/Industrial</b>  |                             |                          |                          |                          |                           |                             |                  |
| Offices, retail trades, light industrial, general manufacturing, utilities, extractive industry   | Red                         | Yellow                   | Yellow                   | Yellow                   | Yellow                    | Yellow                      | Yellow           |
| Airport revenue-producing enterprises   | Red                         | Yellow                   | Yellow                   | Yellow                   | Yellow                    | Yellow                      | Yellow           |
| <b>Agricultural and Recreational</b>  |                             |                          |                          |                          |                           |                             |                  |
| Cropland  | Green                       | Green                    | Green                    | Green                    | Green                     | Green                       | Green            |
| Livestock breeding, zoos, golf courses, riding stables, water recreation  | Red                         | Red                      | Yellow                   | Yellow                   | Yellow                    | Green                       | Yellow           |
| Outdoor spectator sports, parks, playgrounds  | Red                         | Red                      | Red                      | Yellow                   | Yellow                    | Yellow                      | Yellow           |
| Amphitheaters   | Red                         | Red                      | Red                      | Red                      | Yellow                    | Yellow                      | Yellow           |
| Open space  | Green                       | Green                    | Green                    | Green                    | Green                     | Green                       | Green            |
| <b>Bird and Wildlife Attractants</b>  |                             |                          |                          |                          |                           |                             |                  |
| Sanitary Landfills  | Red                         | Red                      | Red                      | Red                      | Red                       | Yellow                      | Red              |
| Water treatment plants, water impoundments  | Red                         | Red                      | Red                      | Red                      | Red                       | Yellow                      | Red              |
| Wetlands Mitigation   | Red                         | Yellow                   | Yellow                   | Yellow                   | Yellow                    | Yellow                      | Yellow           |
|   | Red                         | Yellow                   | Yellow                   | Yellow                   | Green                     | Yellow                      | Yellow           |
|   | Prohibited                  |                          | Allowed with conditions  |                          |                           | Allowed                     |                  |
| <b>Conditions typically include:</b>  |                             |                          |                          |                          |                           |                             |                  |
| <ul style="list-style-type: none"> <li>- Require Fair disclosure Statement as a condition of development</li> <li>- Limit residential density to low-density and avoid high-density development</li> <li>- Limit commercial uses to low-density and avoid high intensity commercial uses such as large retail box stores</li> <li>- Locate development as far as possible from extended centerline, if no reasonable alternative exists</li> <li>- Be mindful of bird and wildlife attractant and consider proximity of the airport as well as potential negative impact before development. Refer to FAA AC 150/5200-33B and 150/5200-34A, as amended, for guidance</li> </ul> |                             |                          |                          |                          |                           |                             |                  |

Source: T-O Engineers, Inc.

## 7.7 COMPLIANCE AND COMPATIBLE LAND USE RESOURCES AND REFERENCES

FAA Order 5190.6B, FAA Airport Compliance Manual

[http://www.faa.gov/airports/resources/publications/orders/compliance\\_5190\\_6/](http://www.faa.gov/airports/resources/publications/orders/compliance_5190_6/)

FAA Advisory Circular (AC) 150/5190-6, Exclusive Rights at Federally Obligated Airports

[http://www.faa.gov/airports/resources/advisory\\_circulars/index.cfm/go/document.information/documentNumber/150\\_5190-6](http://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.information/documentNumber/150_5190-6)

FAA AC 150/5190-7, Minimum Standards for Commercial Aeronautical Activities

[http://www.faa.gov/airports/resources/advisory\\_circulars/index.cfm/go/document.information/documentNumber/150\\_5190-7](http://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.information/documentNumber/150_5190-7)

FAA AC 150/5200-18C, Airport Safety Self-Inspection

[http://www.faa.gov/airports/resources/advisory\\_circulars/index.cfm/go/document.information/documentNumber/150\\_5200-18C](http://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.information/documentNumber/150_5200-18C)

State of Idaho, Idaho Division of Aeronautics, Idaho Airport System Plan, Land Use Compatibility Guidelines

<http://itd.idaho.gov/aero/Publications/publications.htm>

FAA Noise Compatibility Tool Kit

[http://www.faa.gov/about/office\\_org/headquarters\\_offices/apl/noise\\_emissions/planning\\_toolkit/](http://www.faa.gov/about/office_org/headquarters_offices/apl/noise_emissions/planning_toolkit/)

FAA Land Use Compatibility

[http://www.faa.gov/airports/environmental/land\\_use/](http://www.faa.gov/airports/environmental/land_use/)

Federal Aviation Regulation (FAR) Part 77

[http://www.access.gpo.gov/nara/cfr/waisidx\\_07/14cfr77\\_07.html](http://www.access.gpo.gov/nara/cfr/waisidx_07/14cfr77_07.html)

FAA - Helena Airports District Office

[http://www.faa.gov/airports/northwest\\_mountain/about\\_airports/contact\\_information/](http://www.faa.gov/airports/northwest_mountain/about_airports/contact_information/)

(406) 449-5271

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