



U. S. Department
Of Transportation

**Federal Aviation
Administration**

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July 21, 2014

The Honorable Greg Chilcott, Chairman
Ravalli County Commission
215 S. 4th St., Suite A
Hamilton, MT 59840

Dear Commissioner Chilcott:

We have been asked clarify the potential for future federal funding at the Ravalli County Airport if the runway to taxiway separation standard is not met. Also, we were asked to clarify Ravalli County's grant obligations if closure of the airport is pursued.

Ravalli County first accepted a grant from the federal government for airport improvements in 1948 (Federal Aid Airport Project (FAAP) 9-24-005-701). Since 1982, the Ravalli County has accepted eleven (11) grants totaling \$4,037,541 for airport planning, airport development projects (including equipment acquisition), and land acquisition under the Airport Improvement Program (AIP), 49 U.S.C. 47101 *et seq.* By accepting these grants Ravalli County has agreed to specific Federal obligations which are defined in your Airport Sponsor Assurances.

49 USC 47105 (b) (3) provides that an application for a project grant may propose airport development only if the development complies with standards the Secretary prescribes or approves, including standards for site location, airport layout, site preparation, paving, lighting, and safety of approaches. The airport design standards in Advisory Circular (AC) 150/5300-13A, *Airport Design*, are intended to identify the design elements needed to maintain safety and efficiency according to national policy. Compliance with AC 150/5300-13A is mandatory for all projects funded with federal grant monies through the Airport Improvement Program (AIP). Grant Assurance 34, *Policies, Standards, and Specifications* states:

"It (the Airport Sponsor) will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated _____ (the latest approved version as of this grant offer) and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary."

The required runway to taxiway separation standard for a B-II airport is 240 feet, per AC 150/5300-13A. The airport does not meet this standard. As noted above, AIP funds cannot be used to fund projects that do not meet standards.

Grant Assurance 19 requires Ravalli County to operate the airport at all times in a safe and serviceable condition. The last major rehabilitative effort on Runway 16/34 was in 1992, 22 years ago. The current

Pavement Condition Index (PCI) number for the runway pavement is 62, which is considered good condition; however, projected PCI numbers for year 2023 are 40 and 30, which would be considered poor condition. Within the next ten (10) years, major rehabilitative effort will be required to keep the runway in safe and serviceable condition. Through the planning and environmental efforts, alternatives have been identified to address the runway to taxiway separation issue. Without addressing this non-standard issue, Ravalli County would be responsible for all costs associated with rehabilitation of Runway 16/34. Grant Assurance 19, *Operation and Maintenance* states:

"a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;*
 - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and*
 - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport.*
- Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.*

b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended."

Federal obligations related to the use, operation, and maintenance of the airport remain in effect throughout the useful life of the facilities developed under the project, but not to exceed 20 years. In cases where land was acquired with federal assistance under AIP, the federal land obligations remain in perpetuity. In the past 20 years, Ravalli County has accepted nine (9) grants, which included \$259,414 of AIP funds for airport planning; \$1,377,822 of AIP funds for airport improvements (including equipment acquisition), and \$1,420,000 of AIP funds to acquire two (2) parcels of land totaling 129.4 acres (Parcels 8 and 9 on current Exhibit "A" property map).

Since the County acquired land with AIP funds, as noted above the grant obligations run in perpetuity. Thus the County may not close the Airport without FAA's consent and a formal release of the County from the terms of the applicable Federal regulations.

It is FAA's policy to strengthen the national airports system and not to support the closure of public airports. The FAA rarely approves an application to close an airport. Such approvals were only in highly unusual circumstances where closing the airport provided a benefit to civil aviation.

Ravalli County Airport is a general aviation airport with 91 based aircraft and over 23,600 annual operations. This is a healthy activity level by any standard for a general aviation (GA) airport in the National Plan of Integrated Airport Systems (NPIAS). Ravalli County Airport continues to benefit civil aviation as a GA airport. It is unlikely the FAA would find any justification for a release of Ravalli County Airport for closure.

If FAA were to consent to closure of the airport, the remaining value of obligated improvements constructed with AIP funds (those less than 20 years old) would need to be determined and returned to the Federal Government. Additionally, land purchased using AIP funds would have to be appraised and 90% of the appraised value would have to be returned to the Federal Government.

We encourage you to review your Federal grant obligations. If you have any questions regarding your obligations or this letter, please contact me or Steve Engebrecht, Compliance Officer, Helena Airports District Office at (406) 449-5279.

Sincerely,



David S. Stelling, Manager
Helena Airports District Office

cc: Via-email

Commissioner JR Iman

Commissioner Jeff Burrows

Commissioner Ron Stoltz

Commissioner Suzy Foss

Dave Hedditch, Chairman, Ravalli County Airport Board

Steve Engebrecht, HLN-620

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