



Federal Aviation
Administration

Seattle ADO Update

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Overview

1. ADO Staffing

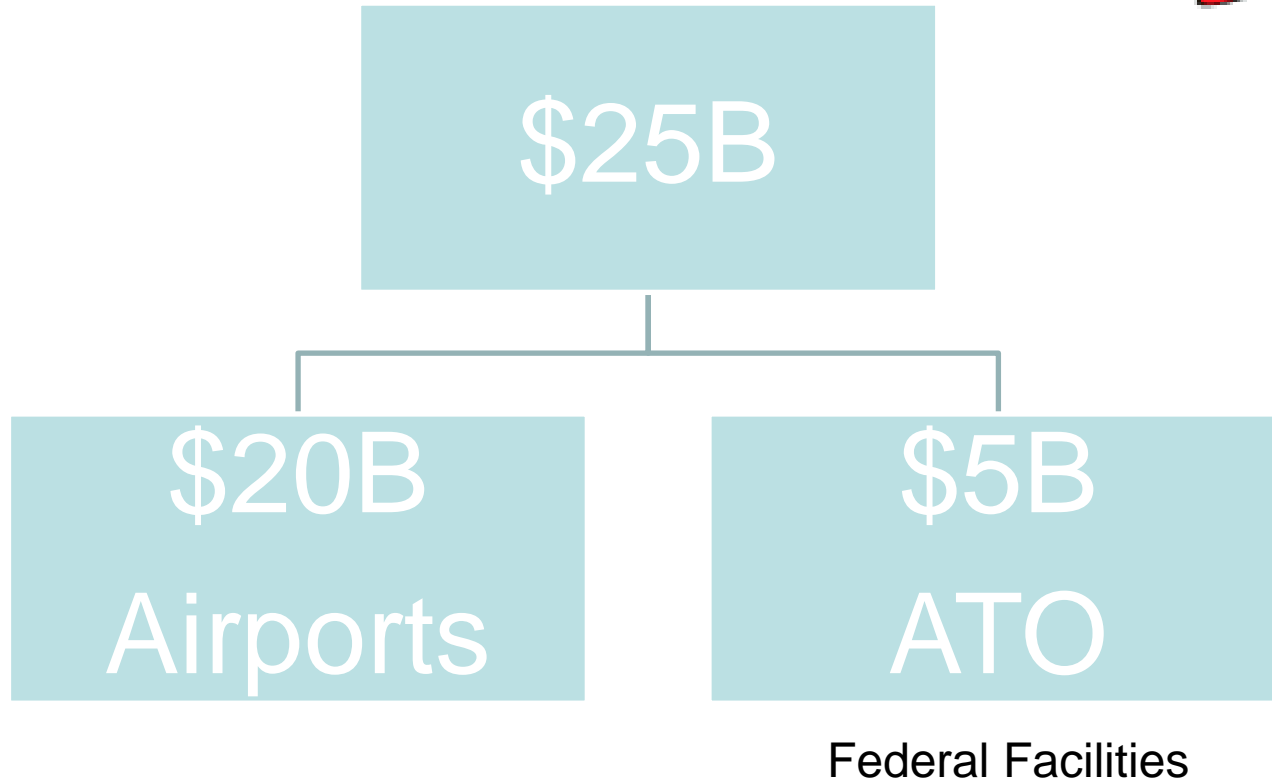
2. BIL – Bipartisan Infrastructure Law

Formerly known as: Infrastructure Investment and Jobs Act.
PL 117-58

3. Planning Update



BIL Funding





Airports Funding in General

- **Airport Infrastructure - Track 1:**
 - Primary, Non Primary, and FCT set asides
 - \$3B in FY22, available to obligate thru FY26
 - \$3B in FY23, available to obligate thru FY27
 - \$3B in FY24, available to obligate thru FY28
 - \$3B in FY25, available to obligate thru FY29
 - \$3B in FY26, available to obligate thru FY30
 - What kind of projects are eligible?
 - “airport-related projects defined under section 40117(a)(3) of title 49, United States Code”
 - What if the funds are not used in the time allotted?
 - If not obligated by 5th FY after made available, then they get swept
 - Swept funds for primaries go back to primaries; for non primaries go a competitive program for prioritized projects (track 3)
 - Track 1 Federal share is per 49 U.S.C. 47109





Track 1a: Airports Primary

- Divide up not more than \$2.48B per year
- Apportioned as set forth in sections
 - 47114(c)(1)(A) – passenger apportionment formula
 - 47114(c)(1)(C)(i) – double passenger amounts provision
 - 47114(c)(1)(C)(ii) – \$1M minimum for primaries provision
 - 47114(c)(2)(A) – Cargo set aside of 3.5% formula
 - 47114(c)(2)(B) – Landed weight apportionment formula
 - 47114(c)(2)(E) – use prior CY provision for cargo
 - 47114(c)(1)(J) – use best of provision for passengers in FY22/23
- Other notes:
 - No PFC turnbacks and no maximum
 - Left over gets swept up and redistributed to primaries only





Track 1b: Airports Non Primary

- Divide up not more than \$500M per year
- Apportionments based on most recent NPIAS publication classification
 - Percentage of the aggregate published eligible development costs for each such category, and then dividing the allocated funds evenly among the eligible airports in each category
 - Same as ARPA formula but that amount was \$100M
 - Other notes:
 - Left over gets swept up and redistributed to under track 3 (Secretary's sweep fund)





Track 2: Federal Contract Towers

- Allocated as follows:
 - \$20M in FY22, available to obligate thru FY26
 - \$20M in FY23, available to obligate thru FY27
 - \$20M in FY24, available to obligate thru FY28
 - \$20M in FY25, available to obligate thru FY29
 - \$20M in FY26, available to obligate thru FY30
- Rules:
 - Must be in FCT program (per 49 U.S.C. 47124 requirements)
 - Sustain, construct, repair, improve, rehabilitate, modernize, replace or relocate nonapproach control towers;
 - Acquire and install air traffic control, communications, and related equipment to be used in towers
 - Construct a remote tower certified by the FAA
 - Priority to those that enhanced aviation safety and improve efficiency
 - **Track 2 is 100% Federal share**





Track 3: Secretary's Sweep

- Non Primary Track 1 funds not obligated by the 5th FY year
- Available for competitive grants for projects that:
 - Reduce airport emissions;
 - Reduce noise impact to the surrounding community;
 - Reduce dependence on the electrical grid; 4
 - or Provide general benefits to the surrounding community.
- None of the amounts made available under this heading in this Act may be used to pay for airport debt service (includes Tracks 1-3)





Track 4: Terminal Development

- Allocated as follows:
 - \$1B in FY22, available to obligate thru FY26
 - \$1B in FY23, available to obligate thru FY27
 - \$1B in FY24, available to obligate thru FY28
 - \$1B in FY25, available to obligate thru FY29
 - \$1B in FY26, available to obligate thru FY30
- Is there a funding split?
 - Max 55% for Large at 80% federal share
 - Max 15% for Medium at 80% federal share
 - Max 20% for Small at 95% federal share (84 entries, >\$2B)
 - Min 10% for non hub and non primaries at 95% federal share





Track 4: Terminal Development

- What kind of projects are eligible?
 - Terminal/multimodal – per 49 U.S.C. 47102(28)
 - PFC Rail Access
 - Relocating, reconstructing, repairing, or improving an airport-owned ATCT
 - Are there priorities for these projects?
 - Increase capacity and passenger access
 - Replace aging infrastructure
 - Compliance with Americans with Disability Act
 - Energy efficiency for projects like environmental systems, upgrading plant facilities, and LEED (Leadership in Energy and Environmental Design),
 - Projects that encourage actual competition
 - Projects that improve airfield safety through terminal relocation





Other Provisions

- Up to 3% of the annual amounts each FY (\$3B) for personnel, contracting, and other costs to administer and oversee grants
- Of that up to 3%, \$1M set aside for DOT OIG each FY
- Federal share for Track 3: per 49 U.S.C. 47109 (AIP share)
- BIL funds are still Federal dollars
 - Federal procurement rules
 - Can't be used as a local match
 - Can use for same project, but not in the same grant.
- FAQ's are available at:
<https://www.faa.gov/general/bipartisan-infrastructure-law-faqs>



Planning Update

Topics

- Section 163
- Preaching About Planning





What is Section 163?

163(d) - limits FAA approval authority over ALPs

163(a) limits FAA jurisdiction and authority over airport land use

163(b) – provides exceptions where the FAA retains jurisdictions

163(c) – preserves FAA authority over airport revenue



Section 163- Three types of reviews

1. Projects not normally shown on an ALP, but are being funded with AIP

- ADO personnel will make the Section 163 Determination- no letter/email will be send by the ADO
- NEPA is required- ADO personnel will inform the sponsor

2. Projects that HQ has already determined FAA has ALP approval authority over -*Movement areas and non-movement areas of an airport, including aircraft parking, ramps, hangars, RSA, RPZ, OFA, NavAids, departure and approach surfaces*

- Sponsor makes a request to the ADO Planner or PM- request should include location of the project, type of project it is, how land was acquired, Exhibit A
- Determination letters are not needed-email to sponsor



Section 163 -Three types of reviews (cont)

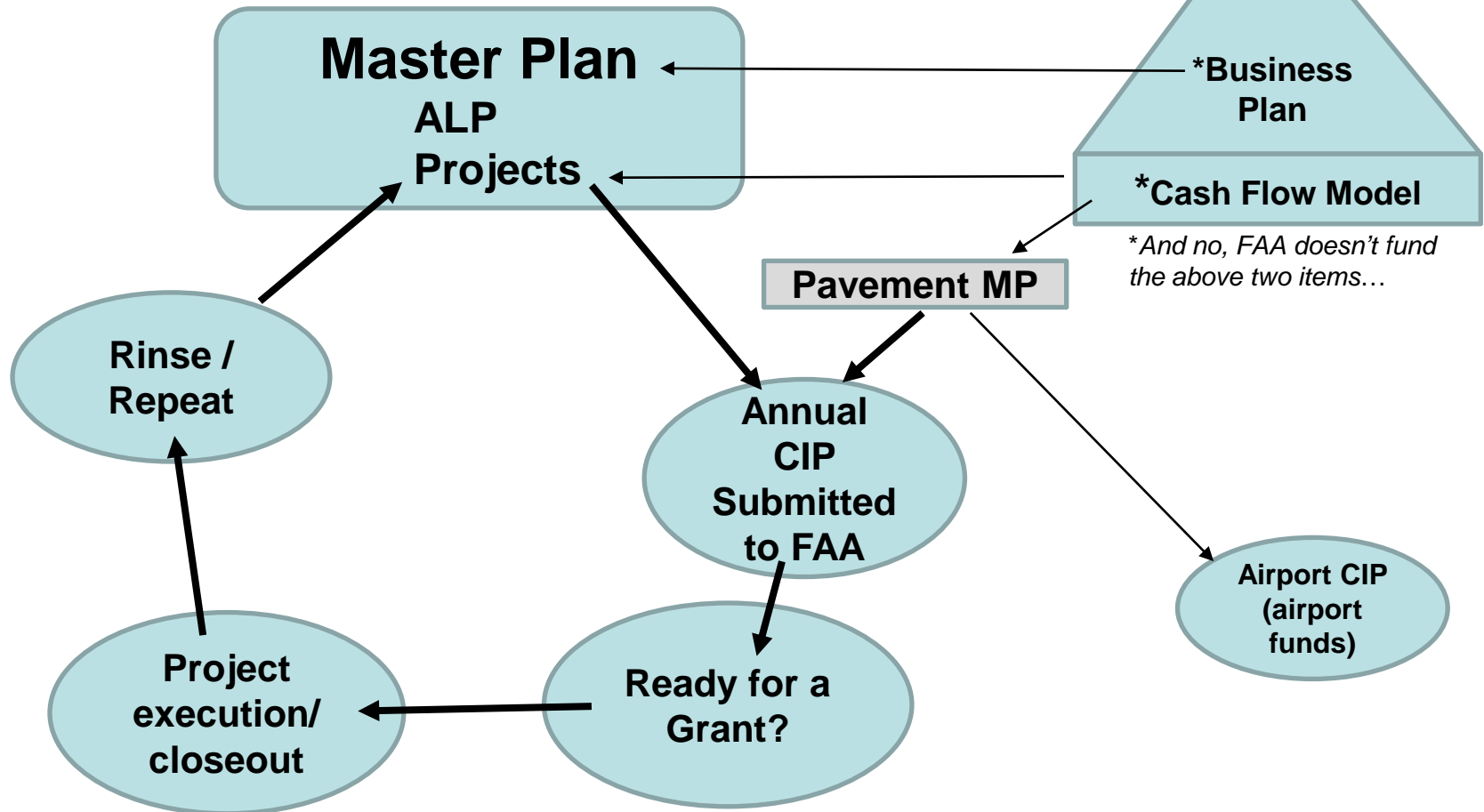
3. All other projects- a SEA-ADO planner will request the following from the Airport:

- Current approved ALP (one sheet) that identifies the project and its location on the airport.
- A copy of the airport land use map.
- A copy of the 'Exhibit A' property map.
- Identify the funding source used for purchase of the property.
- Any supporting deeds or documentation regarding airport ownership of the land the project is located on, including surplus or any other property deeds of conveyance.
- Source(s) of funding for the proposed project.
- A project description of the proposed alteration(s) to the airport or its facilities.

FAA Action: SEA ADO will prepare a Section 163 determination letter and send it to the airport sponsor



Preaching About Planning



Remember: Consistency, predictability and no surprises builds credibility....





Preaching About Planning (cont.)

1. A master plan update may be requested if:
 - it has been 7-10 years since the last planning effort
 - all viable projects have been completed from the last master plan
 - the community has changed since the last planning effort
 - the aircraft serving the airport has changed
 - if the sponsor requests
2. ALP Update with Narrative Report – (for less complicated situations)
3. Pen and Ink ALP Change – (*minor* changes to ALP)
4. As-Built ALP Change – (documenting a change keeps your ALP fresh)

Planning is the foundation for your projects. **Help us - help you to go fast *by keeping your Master Plan and ALP fresh! It's ALL up to you!***



Questions?

You're off to Great
Places!
Today is your day!
Your mountain is waiting,
So... get on your way!

-- Dr. Seuss

