



**Port of Portland
Federal and Port Airport Regulations and Policy Guidelines Memo
DRAFT**

Table of Contents

1.0 Introduction..... 1

2.0 Federal Aviation Administration 2

3.0 Applicable Federal Regulations.....2

3.1 Federal Aviation Regulations (FAR).....2

3.2 Other Legislation.....4

4.0 FAA Airport Planning and Design Guidelines.....5

5.0 Applicable Port of Portland Policy..... 5

5.1 Port Strategic Plan 5

5.2 Port Environmental Policy 6

5.3 PDX Rules and Regulations and Ordinances.....6

5.4 2000 PDX Master Plan Update6

5.5 2007 PDX Part 150 Noise Abatement Plan.....7

6.0 PDX Permits7

1.0 INTRODUCTION

Airport Futures is a collaborative effort between the City of Portland, Port of Portland, and the Portland-Vancouver metropolitan community to create an integrated long-range development plan for Portland International Airport (PDX). Beginning in fall 2007 and concluding in spring 2010, the Port will update the airport master plan and the City will create a land use plan recognizing the City's role in the regional economy while managing City infrastructure and livability. The three-year process will reinforce Portland's planning legacy and the reputation of PDX as one of the premier airports in the country, and incorporate principles of sustainability and livability.

The primary purpose of the *Airport Regulations and Policy Guidelines* document is to describe the role of the Federal Aviation Administration (FAA) in regulating U.S. airports, and in particular, those FAA regulations and guidelines affecting the airport master planning process. Additionally, this document also describes related Port of Portland policy and permits.

A companion document, *State, Regional and Local Planning and Policy Memo* describes the planning and policy framework for the City of Portland legislative land use process portion of the Airport Futures project.

2.0 FEDERAL AVIATION ADMINISTRATION

The Federal Aviation Administration (FAA) is an agency of the U.S. Department of Transportation with legislated responsibilities that include:

- Regulating air commerce to promote its development and safety and fulfill the requirements of national defense;
- Promoting, encouraging, and developing civil aeronautics;
- Controlling the use of navigable airspace of the United States and regulating both civil and military operations in such airspace in the interest of the safety and efficiency of both;
- Developing and operating a common system of air traffic control and navigation for both military and civil aircraft; and
- Licensing pilots and certifying the airworthiness of existing and new aircraft.

Airport operators and planners primarily deal with the FAA when preparing airport master plans. However, depending on the issues other agencies also may be involved. This includes the Transportation Safety Administration or federal inspection services agencies, such as the U.S. Department of Agriculture, U.S. Immigration and Naturalization Service, or the U.S. Customs Service.

Additional information related to the FAA may be found on the internet at:

<http://www.faa.gov>

3.0 APPLICABLE FEDERAL REGULATIONS

The U.S. Code of Federal Regulations (CFR) is a collection of rules applicable to all government agencies and departments. The CFR is organized into 50 titles representing areas subject to federal regulations.

Titles of the CFR are divided into chapters. Chapters are subdivided into subchapters and subchapters are further subdivided into parts, which deal with particular subjects.

3.1 Federal Aviation Regulations (FAR)

Title 14, Chapter 1 of the CFR contains rules related to Federal Aviation Regulations (FAR). Examples of FARs frequently referred to in planning, designing and operating airports include:

- **FAR Part 77, Objects Affecting Navigable Airspace.** Application of the standards identified in Part 77 allows planners and regulators to identify objects that could represent a hazard to air navigation. This includes tall buildings, trees, poles, and towers built in the vicinity of an airport with particular emphasis on the areas off the ends of runways.

- **FAR Part 139, Certification and Operations: Land Airports Serving Certain Air Carriers.** FAR Part 139 requires the FAA to issue airport operating certificates to ensure safety in air transportation. To obtain an operating certificate, an airport must agree to certain operational and safety standards and provide for such things as firefighting and rescue equipment. These standards are based upon the type of aircraft at the airport and include dimensional standards for runways and taxiways, and a variety of safety and object free areas. This includes a requirement for wildlife hazard management. It also includes limitations on the use of revenue, and the need to keep the airport open and available for all users without discrimination.
- **FAR Part 150, Airport Noise Compatibility Planning.** FAR Part 150 prescribes the procedures, standards, and methodology governing the development, submission, and review of airport noise exposure maps and airport noise compatibility programs. In 1985, PDX became the 7th airport in the US with an approved Part 150 based Compatibility Program. The PDX Noise Compatibility Program has been updated three times since then. The most recent Part 150 study update was approved in June of 2007. A copy of this can be found on www.flypdx.com
- **FAR Part 161. Notice and Approval of Airport Noise and Access Restrictions.** Part 161 establishes the procedural requirements resulting from the Airport Noise and Capacity act of 1990. This regulation defines a comprehensive process that airports must follow when proposing noise or access restrictions expected to impact aircraft operators.
- **Aviation Safety and Noise Abatement Act (ASNA).** ASNA required the FAA to establish regulations that set forth national standards for identifying airport noise/land use incompatibilities and develop programs to reduce or eliminate them. Based on the requirements of ANSA, the FAA established procedural requirements under FAR Part 150 "Airport Noise Compatibility Planning". FAR Part 150 establishes specific standards for measuring aircraft noise levels, estimating noise exposure, and developing programs for reducing noise impacts through operational measures and land-use planning.
- **Airport Noise and Capacity Act (ANCA).** ANCA was enacted in 1990 in order to reduce aircraft noise impacts and to enhance the capacity of the National Air Transportation System. ANCA required a phased elimination of the older, noisier commercial jet aircraft operating in the U.S. to be completed by December 31, 1999. This mandate applied to aircraft certificated under the standards of FAR Part 36 Stage 2 with maximum gross takeoff weights of 75,000 pounds or greater. ANCA prohibited airports from establishing access restrictions (i.e. curfews) without first completing a study compliant with the requirements set forth under FAR Part 161. Existing access restrictions were "grandfathered in" and exempted from this requirement. A copy of ANCA can be found at www.PDXAirportfutures.com in the document library.

The planning, design, and operation of PDX are governed not only by the FARs, but by obligations assumed when funds from FAA-administered airport financial assistance programs were accepted. These obligations (known as grant assurances) require the Port to maintain and operate PDX safely and efficiently and in accordance with specified conditions. A copy of the FAA grant assurances can be found at www.PDXAirportfutures.com in the document library.

Additional information related to the FARs may be found on the internet in the FAA's regulatory and guidance library (RGL). The RGL is a set of searchable databases located at:

<http://rgl.faa.gov>

3.2 Other Legislation

Examples of other legislation frequently referred to in planning, designing, and operating airports include:

- **National Environmental Policy Act (NEPA).** The NEPA requires federal agencies to consider the impacts of proposed actions on the environment and to develop reasonable alternatives for those actions. FAA Order 1050.1 *Environmental Impacts: Policies and Procedures* provides policies and procedures to ensure compliance with the provisions of the NEPA. FAA Order 5050.4, FAA Airports guidance for complying with NEPA, provides instructions and guidance for the preparation and processing of appropriate environmental documentation related to airport development proposals and other airport activities.

http://www.faa.gov/airports_airtraffic/airports/resources/publications/orders/environmental/5050_4/

- **Aviation Safety and Noise Abatement Act (ASNA).** The ASNA, enacted in 1979, led to the establishment of regulations for noise compatibility planning under FAR Part 150. Part 150 establishes a single system for measuring aircraft noise, a single system for determining the exposure of people to airport noise, and a standardized and voluntary airport noise compatibility planning program.

These regulations have been published by the FAA in 14 Code of Federal Regulations Part 150.

- **Airport Noise and Capacity Act (ANCA).** The ANCA was enacted in 1990 to reduce aircraft noise and enhance the capacity of the National Air Transportation System. ANCA required the phased elimination of the larger, older and noisier aircraft operating in the U.S. by the end of 1999. This mandate applied to aircraft certificated under the standards of FAR Part 36 Stage 2 with maximum gross takeoff weights of 75,000 pounds or greater. ANCA prohibited new airports from establishing curfews without completion of a FAR Part 161. Airports within existing curfews were exempted from this requirement. A copy of the ANCA can be found at www.PDXAirportfutures.com in the document library.

- **Americans with Disabilities Act of 1990 (ADA).** The ADA is essentially civil rights legislation preventing discrimination based on disability. The ADA applies to public transportation and public entities and requires that new construction conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

<http://www.access-board.gov/adaag/html/adaag.htm>

4.0 FAA AIRPORT PLANNING AND DESIGN GUIDELINES

The FAA issues advisory circulars (AC) to provide guidance and information to airports for complying with a related FAR. Advisory Circulars are issued in a numbered subject system corresponding to subject areas of the FARs. The 150 series of advisory circulars is relevant to the planning, design, construction, and maintenance of airports. Advisory circulars frequently referred to by airport planners include the following:

- **AC 150-50700-6B, *Airport Master Plans*.** This AC provides guidance for the preparation of master plans.
- **AC 150-5300-13, *Airport Design*.** This AC contains the FAA's standards and recommendations for airport design, including airport geometry, runway design, taxiway design, line of sight, and navigation aid site requirements.
- **AC 150-5320-5C, *Surface Drainage Design*.** This AC provides guidance for engineers, airport managers, and the public in the design and maintenance of airport surface drainage systems.

FAA Advisory Circulars are available on the internet at:

http://www.faa.gov/airports_airtraffic/airports/resources/advisory_circulars/

5.0 APPLICABLE PORT OF PORTLAND POLICY

The 9-member Governor appointed Port of Portland Commission provides policy direction to guide Port planning, development and operations. This includes an overarching strategic plan for the organization; rules and ordinances for PDX; environmental and climate change policies; and approvals of all previous airport master plans, Part 150 Noise Plans, and PDX development projects.

5.1 Port Strategic Plan

The Port strategic plan is updated annually and posted on the Port of Portland's website www.portofportland.com. The latest update of this document is scheduled for November 2007.

<http://www.portofportland.com/StrategicPlanBudget.aspx>

5.2 Port of Portland Environmental Policy

In 2000, the Port Commission approved an Environmental Policy, noting that implementation of this policy is the responsibility of all Port employees. The introduction to the environmental policy states:

“The Port of Portland will achieve its mission through responsible environmental stewardship and the implementation of proactive environmental programs. The Port will integrate environmental considerations into all aspects of its strategic planning and business decision-making. The Port will actively seek resolutions to environmental issues by endeavoring to achieve the following goals: compliance, planning, natural resources, management commitment, government relations, community relations, performance, quality and continuous improvement.”

The complete text of the Port’s environmental policy can be found on www.portofportland.com under the Environmental Programs tab.

The Port of Portland’s Environmental Management System (EMS) is a set of administrative policies that serve to implement the Environmental Policy. The EMS sets forth specific policies on a number of different items. These policies govern how the Port operates and affect planning and development at PDX. The EMS policies which will help guide the Airport Futures planning effort include: **7.4.01 Environmental Planning; 7.4.04 Environmental Communication; 7.4.10 Environmental Facility and Properties Development and Maintenance; 7.4.11 Environmental Natural Resources; 7.4.12 Pollution Prevention; 7.4.15 Environmental Waste and Hazardous Materials Management; 7.4.16 Environmental Water Resources; 7.4.17 Environmental Property Transactions; and 7/4/18 Environmental Air Policy.** The Port is in the process of developing an Environmental Climate Change policy. These policies are available upon request; the Port is in the process of posting these on the Port’s website: www.portofportland.com.

Five environmental programs also help implement the Port’s environmental policy. These programs include: Water Resources Program, Natural Resources Program, Air Program, Waste Program, and Energy Program.

5.3 PDX Rules and Regulations

The Port Commission has approved ordinances which regulate a broad range of activities at the Port’s airports. Further, the Port Commission has approved Rules and Regulations that apply specifically to activities, operations and use of PDX. These Rules and Regulations and Ordinances can be found on www.portofportland.com under the Inside the Port tab, Ordinances, Rules and Polices...

http://www.portofportland.com/Rules_Ord_Pol.aspx

5.4 2000 PDX Master Plan

The 2000 PDX Master Plan is unlike traditional airport master plans which focus on facility plans and include forecasts for growth in passengers, cargo and operations

followed by an analysis of alternative facility development scenarios to meet the projected growth. While the 2000 PDX Master Plan contains a traditional "facility planning" component that outlines how the airport may be developed to meet demand, it also contains sections devoted to the following areas:

- Strategies to Maintain PDX Viability;
- Strategies for Capacity Preservation;
- Environmental Planning; and
- Citizen Involvement and Communications.

As part of the planning process, a Regional Air Transportation Demand Task Force was convened to evaluate the forecasts underlying the master plan and consider additional alternatives for responding to growth. A summary of the 2000 PDX Master Plan can be found on www.portofportland.com under the Airport/PDX Master Plan tabs.

http://www.portofportland.com/PDX_MP_Home.aspx

5.5 2007 PDX Noise Compatibility Plan

The PDX Noise Compatibility Program (Part 150 Study) is part of the Port's ongoing effort to reduce aircraft noise impacts while operating a vital international airport and regional asset in the growing Portland-Vancouver metropolitan area. The Part 150 Study includes recommendations intended to reduce aircraft noise impacts to residential communities and other noise-sensitive areas. The Port Commission approved the Part 150 Plan in August 2005. The FAA approved all but two recommendations in June 2007. The Noise Management Department is in the process of developing an implementation plan for the approved recommendations. A copy of the Part 150 Plan can be found on www.portofportland.com under the Airport/Noise Management tabs.

http://www.portofportland.com/Prj_PDX_Part_150_Home.aspx

6.0 PDX Permits

PDX operates in conformance with all federal, state and local regulations. A list of the PDX permits follows:

Wildlife Permits

- Scientific Taking Permit
- Federal Fish and Wildlife Permit – Depredation
- Federal Fish and Wildlife Permit – Eagle Depredation
- Agricultural Fireworks Permit

Water Quality Permits

- Waste Discharge Permit (excavation)
- Waste Discharge Permit (deicing)
- Waste Water Discharge Permit
- Municipal Separate Storm Sewer System (MS4) Discharge Permit
- Storm Water Discharge Permit (PDX)

- Storm Water Discharge Permit (HIO)
- Storm Water Discharge Permit (TTD)
- Storm Water Discharge Permit (4S9)

Tank Permits

- Underground Storage Tank Program General Permit (Maintenance)
- Underground Storage Tank Program General Permit (Central Utility Plant)

Air Quality Permits

- Indirect Source Construction Permit
- Air Contaminant Discharge Permit
- Indirect Source/Vapor Recovery Permit