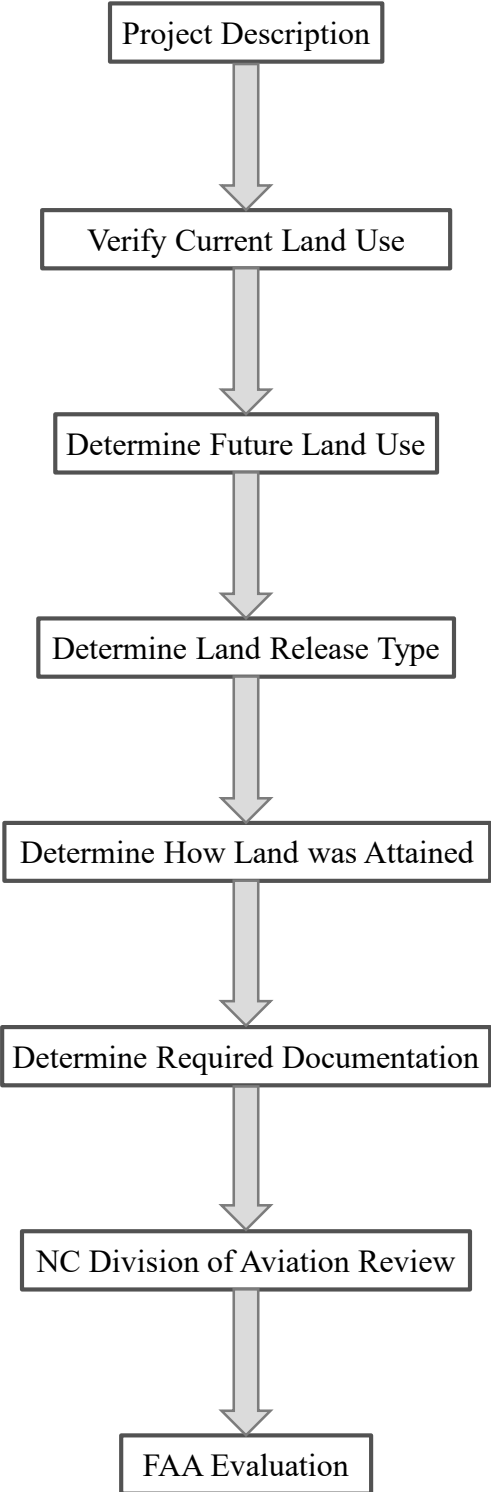


NC Division of Aviation  
FAA Land Release Process  
Overview Flowchart

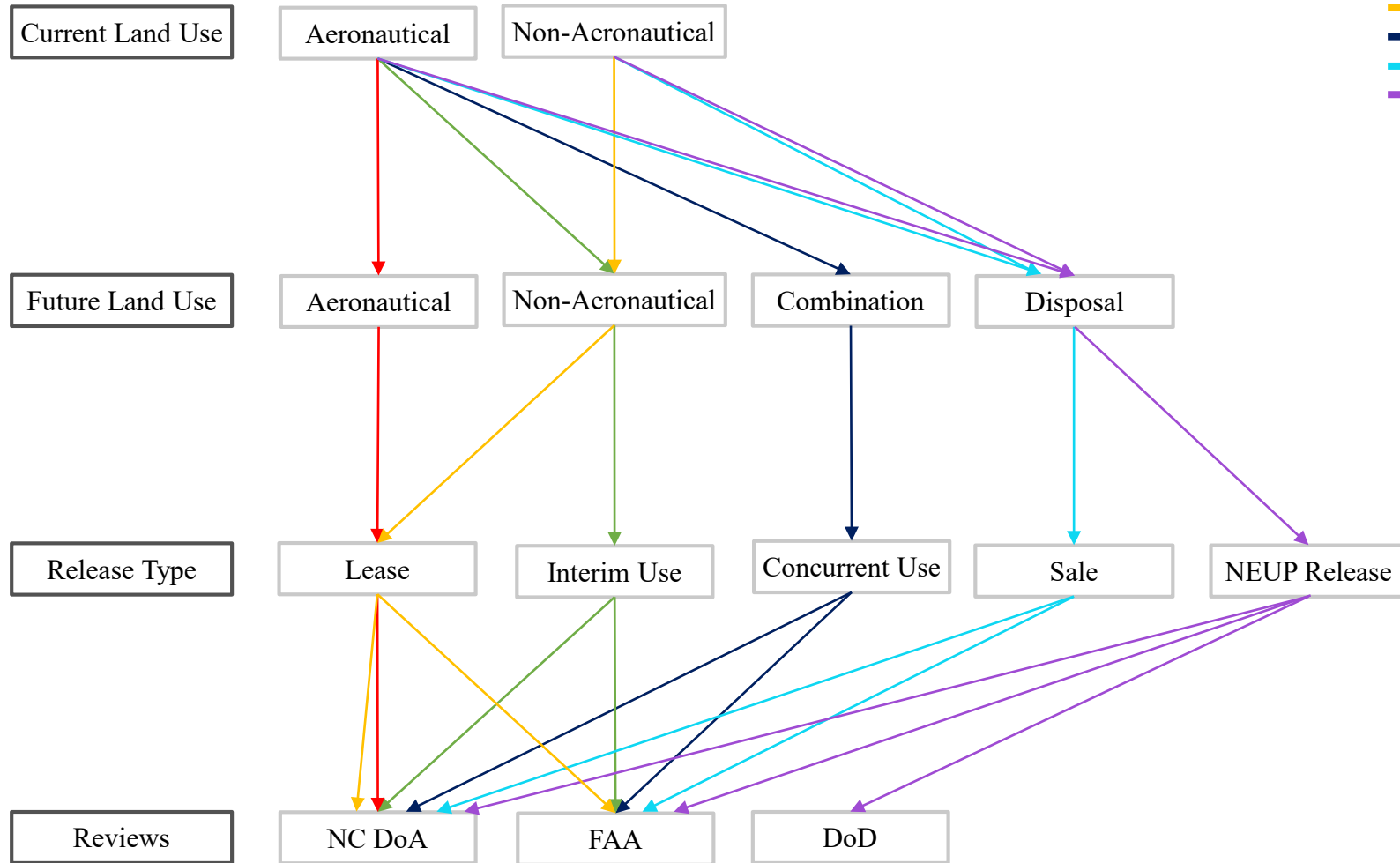


# NC Division of Aviation

## FAA Land Release Process Detailed Overview Flowchart

Directions: Click link to move to detailed flow chart for individual process

- [Aeronautical Lease](#)
- [Interim Use](#)
- [Non-Aeronautical Lease](#)
- [Concurrent Use](#)
- [Sale](#)
- [NEUP Release](#)

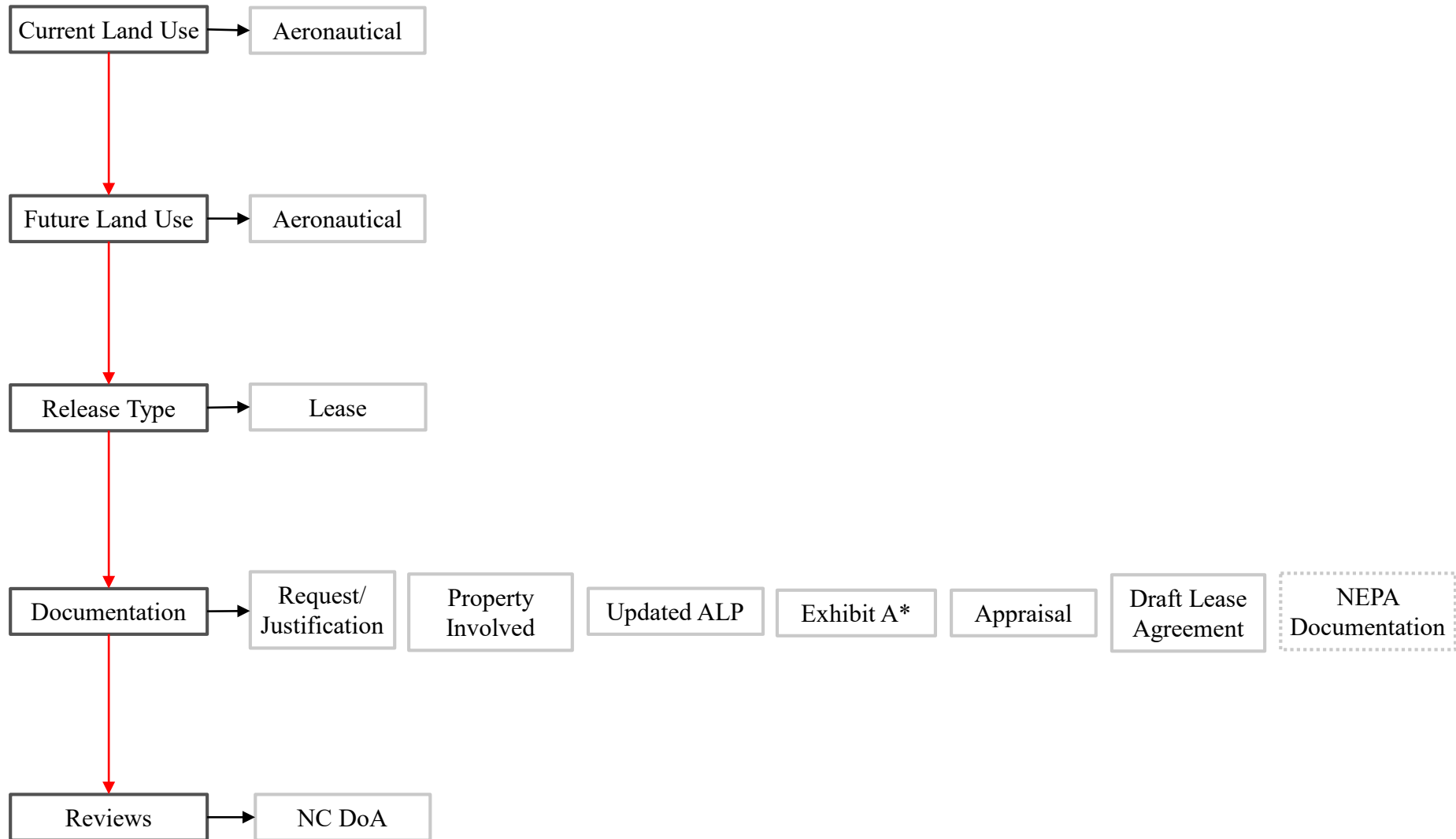


\*Release Type and Land Type (Grant, Surplus, Other) will then be used to determine appropriate documentation required for the Land Release Package

# NC Division of Aviation

## FAA Land Release Process

### Aeronautical Lease Detailed Overview Flowchart



- Letter from the airport sponsor to explain and justify the request. [Example letter](#) attached.
- NEPA Documentation based on FAA requirements
- \*Ensure grant numbers for parcels are included on the Exhibit A

# NC Division of Aviation

## FAA Land Release Process

### Non-Aeronautical Lease Detailed Overview Flowchart



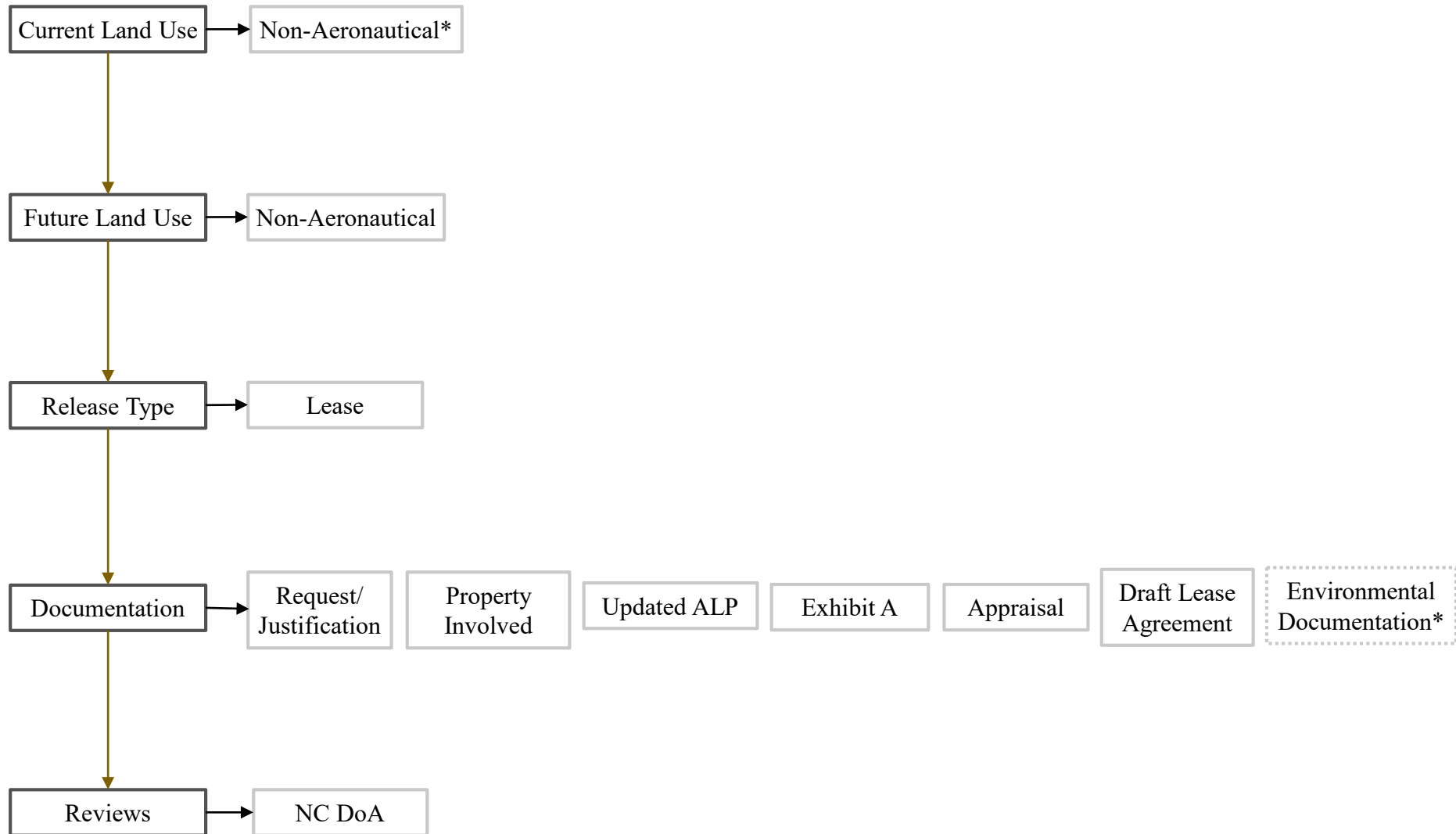
- [Letter](#) from NC Division of Aviation APM explaining why they feel the request is reasonable
- [Letter](#) from the airport sponsor to explain and justify the request and why the property would not have potential to be aeronautical in the future
- NEPA Documentation based on FAA requirements

# NC Division of Aviation

## FAA Land Release Process

### FAA Reauthorization Act of 2018 Section 163

### Non-Aeronautical Lease Detailed Overview Flowchart

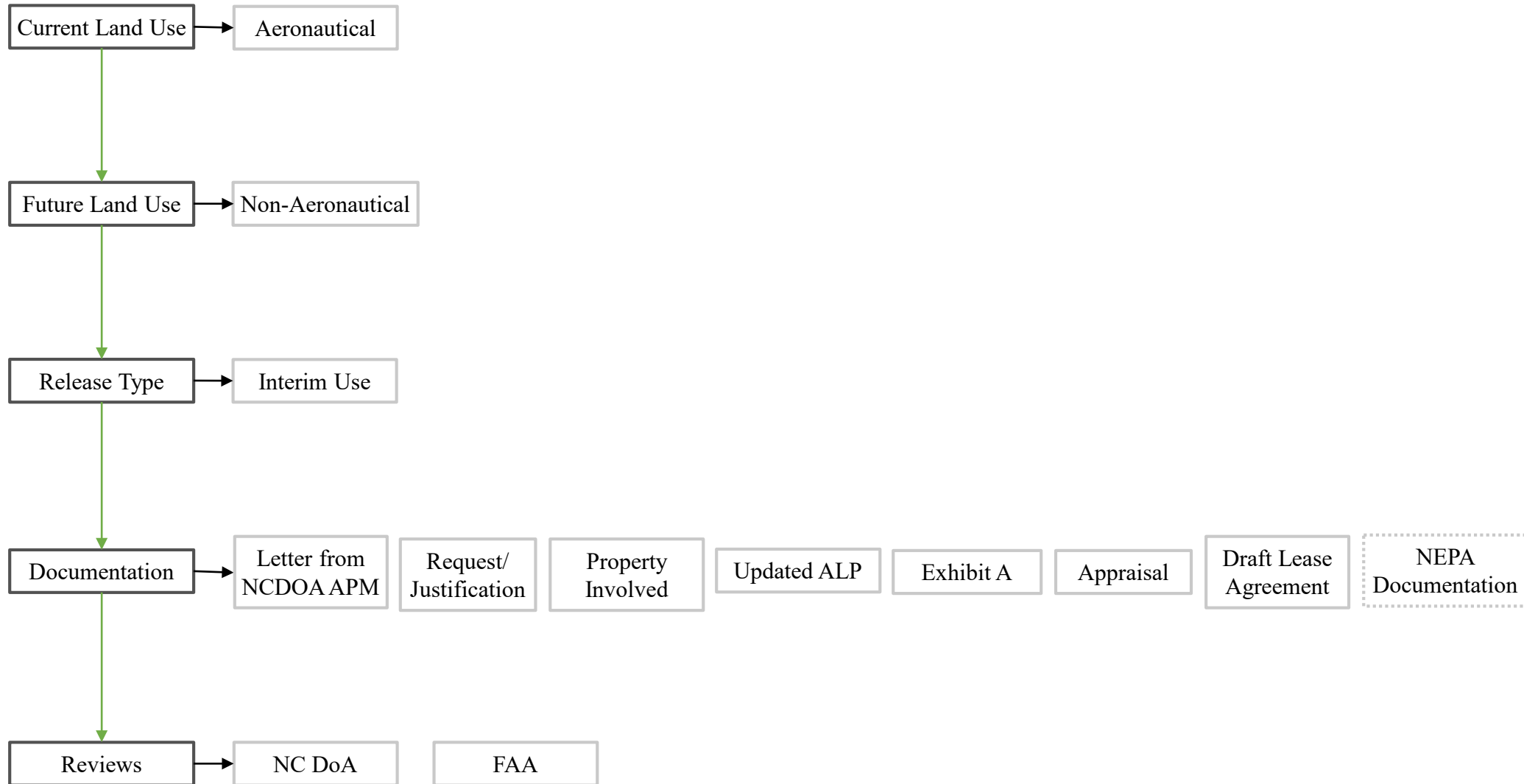


- **\*Land that is not aeronautical and has not been acquired or modified using federal funds and the land is not designated as surplus**
- **\*Removes NEPA Requirement but still must comply with local environmental requirements**
- Letter from the airport sponsor to explain and justify the request and why the property would not have potential to be aeronautical in the future

# NC Division of Aviation

## FAA Land Release Process

### Interim Use Detailed Overview Flowchart

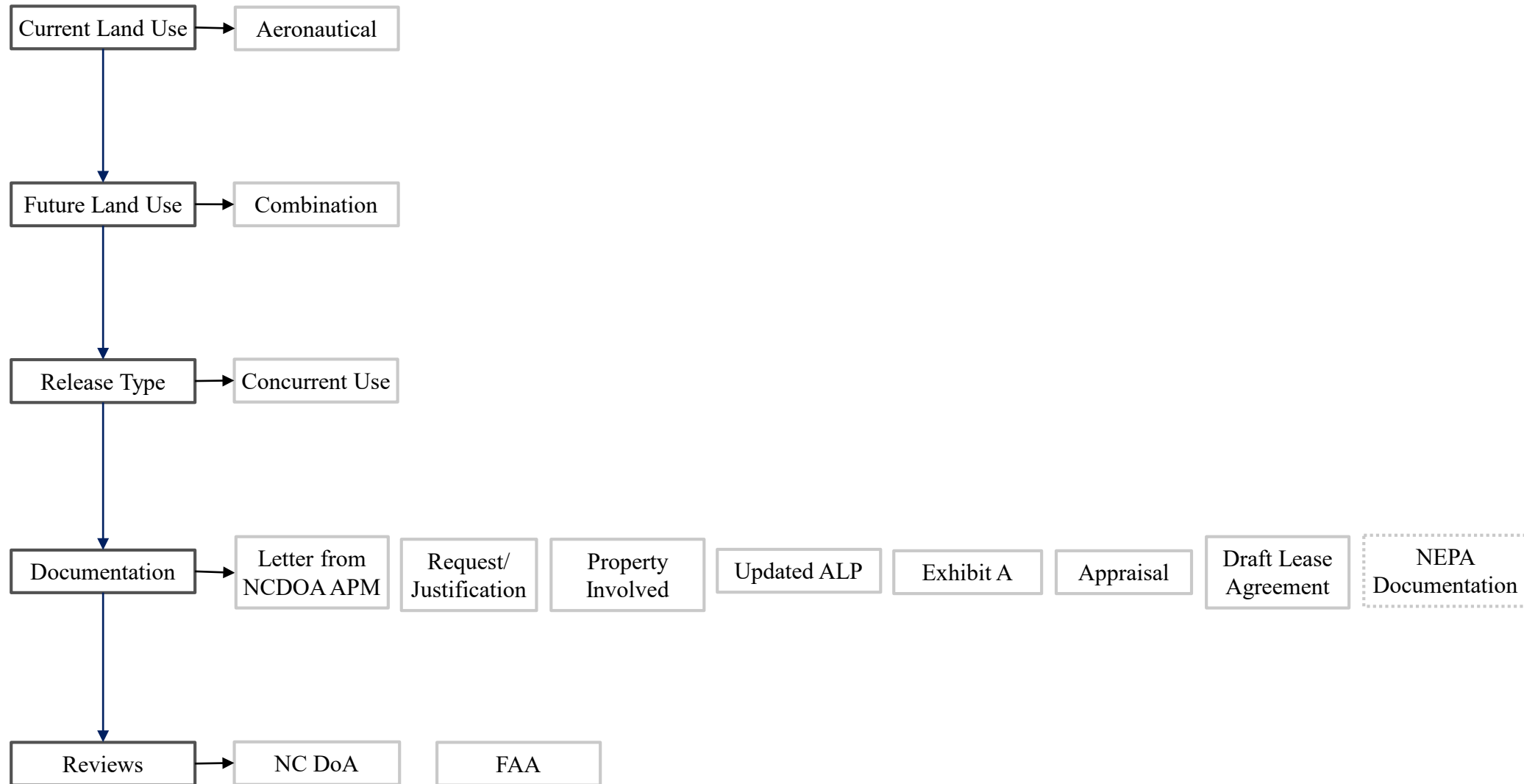


- Interim use allows the airport to use aeronautical land for non-aeronautical purpose, such as a golf course, provided the use does not interfere with current aeronautical operations and the airport can terminate the use to accommodate an aeronautical demand if needed.
- [Letter](#) from NC Division of Aviation APM explaining why they feel the request is reasonable
- [Letter](#) from the airport sponsor to explain and justify the request and why the property would not have potential to be aeronautical in the short term future
- Lease Agreement should not extend longer than 3 years; if the lease is to be longer than 3 years, then follow Concurrent Use Guidelines
- NEPA Documentation based on FAA requirements

# NC Division of Aviation

## FAA Land Release Process

### Concurrent Use Detailed Overview Flowchart

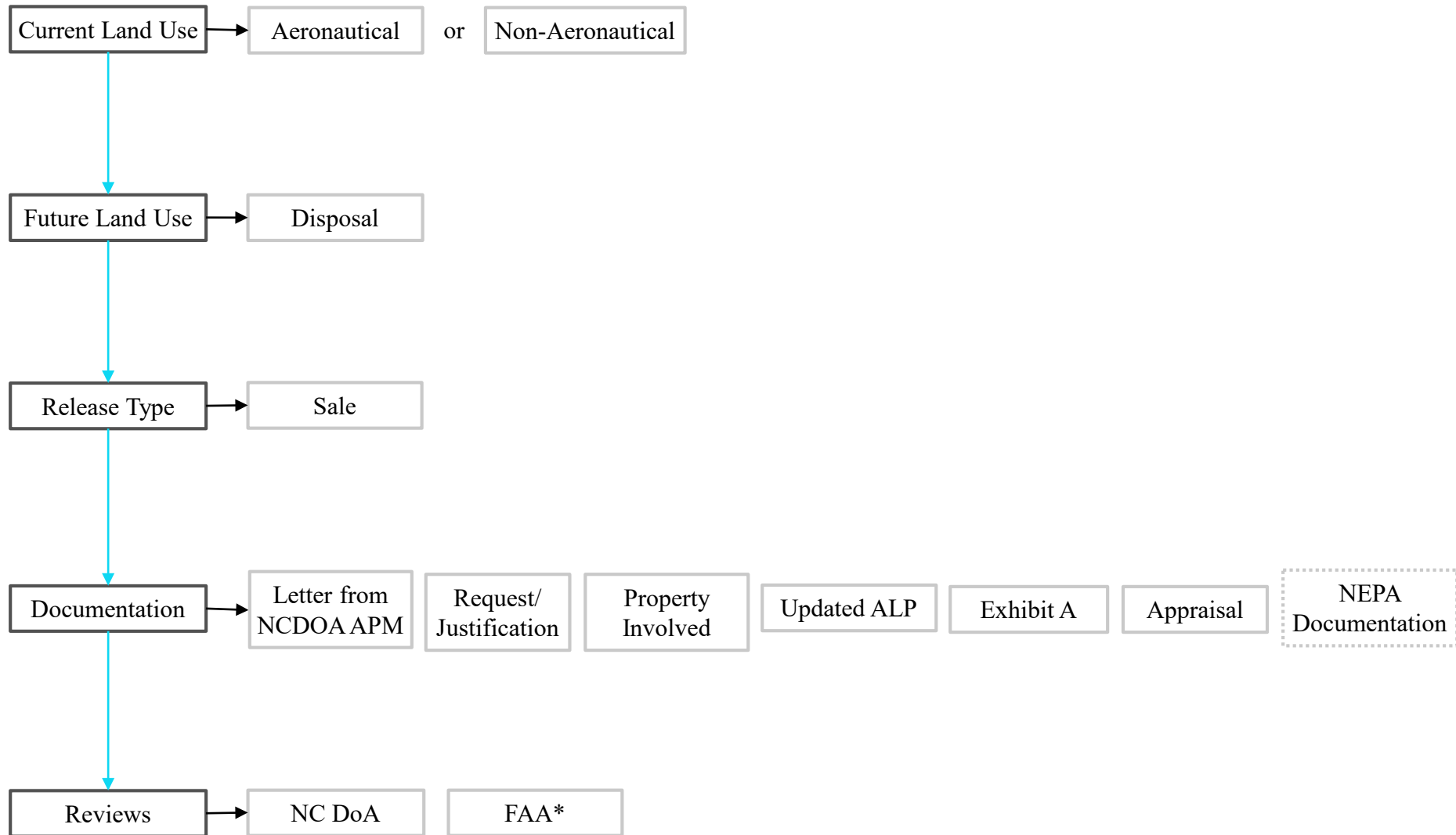


- Concurrent use is when land can be used for the aeronautical purpose and another purpose at the same time, which can include things such as utility easements, agricultural use, etc. providing it is consistent with Grant Assurance 21: Compatible Land Use
- [Letter](#) from NC Division of Aviation APM explaining why they feel the request is reasonable
- [Letter](#) from the airport sponsor to explain and justify the request and how the request will not impact the current or future aeronautical uses
- NEPA Documentation based on FAA requirements

# NC Division of Aviation

## FAA Land Release Process

### Sale Detailed Overview Flowchart



- [Letter](#) from NC Division of Aviation APM explaining why they feel the request is reasonable
- [Sponsor letter](#) to explain and justify the request and how the request will not impact the current or future aeronautical use
- NEPA Documentation based on FAA requirements
- \*May require federal register notice

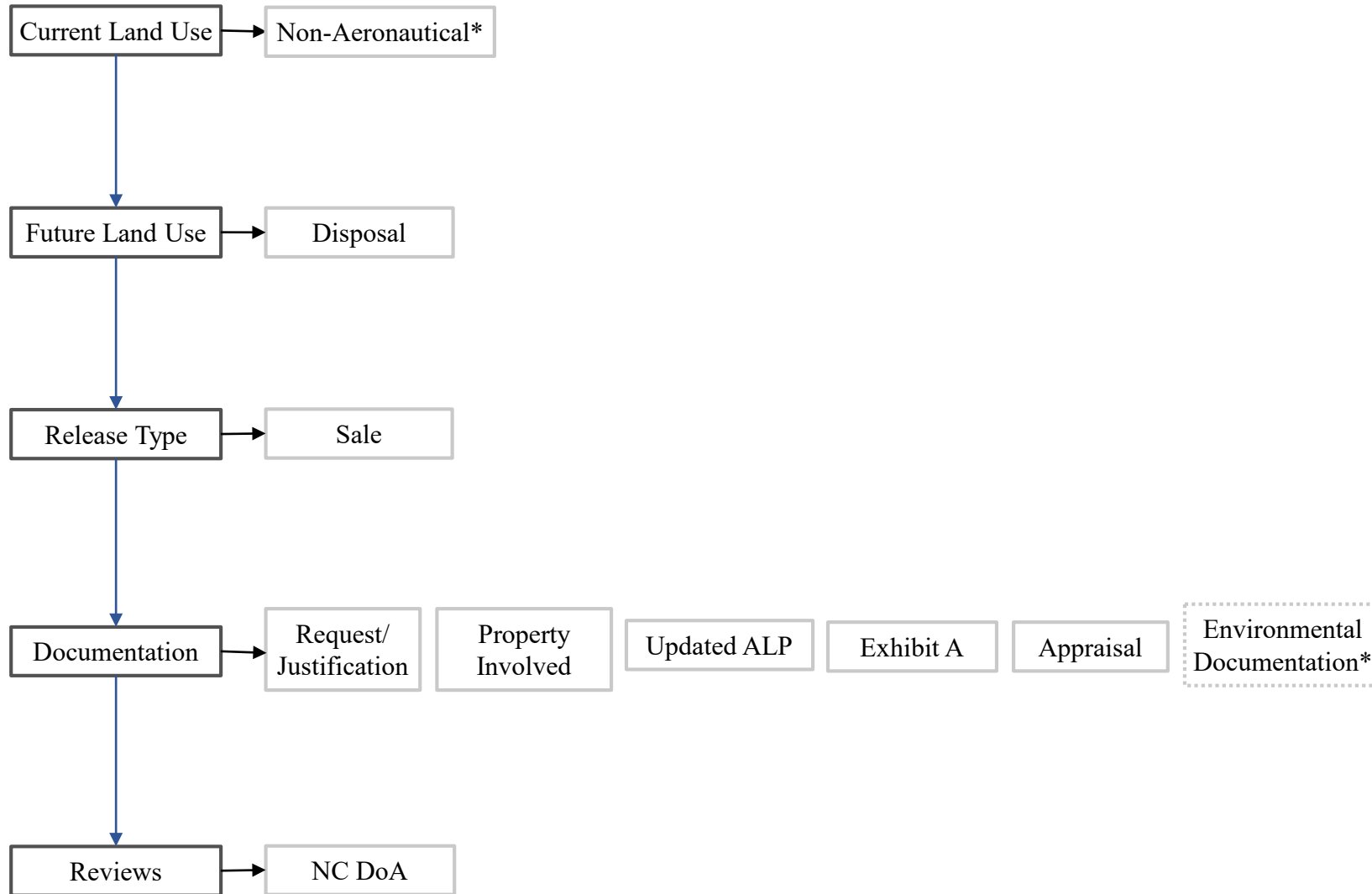


# NC Division of Aviation

## FAA Land Release Process

### FAA Reauthorization Act of 2018 Section 163

#### Sale Detailed Overview Flowchart



- **\*Land that is not aeronautical and has not been acquired or modified using federal funds and the land is not designated as surplus**
- **\*Removes NEPA Requirement but still must comply with local environmental requirements**
- [Sponsor letter](#) to explain and justify the request and why the property would not have potential to be aeronautical in the future

# NC Division of Aviation

## FAA Land Release Process

### NEUP Release Detailed Overview Flowchart



- \*Typically land that had been surplus (land issued by War Assets Administration (WAA) (now General Services Administration (GSA)) and transferred to airport sponsors for public use contain the National Emergency Use Provision (NEUP) and require a release from the provision to be disposed. Typically a request is limited to land parcels that are no longer needed for aviation purposes.
- [Letter](#) from NC Division of Aviation APM explaining why they feel the request is reasonable
- [Sponsor letter](#) to explain and justify the request and how the request will not impact the current or future aeronautical use
- NEPA Documentation based on FAA requirements
- \*If property designated as aeronautical then will require federal register notice.



STATE OF NORTH CAROLINA  
**DEPARTMENT OF TRANSPORTATION**

Example NC  
Division of  
Aviation  
APM Letter

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

[Date]

[FAA Contact]

[Title]

Memphis Airports District Office  
2600 Thousand Oaks Blvd., Suite 2250  
Memphis, Tennessee 38118

Dear [FAA Contact],

Enclosed is a detailed package for your review and approval of a [request type], at [airport name]. The Division of Aviation (DOA) has reviewed the information obtained from the airport concerning the request. Based on the information, location, type of use, and consultation with [airport code], the DOA concurs with the [request type] of the subject property.

[Explanation of why the request is acceptable]

If you should have any questions, or require any further information, please do not hesitate to contact me.

Sincerely,

[APM]

[Title]

# Example Airport Sponsor Letter

DRAFT LETTER

[Date]

[FAA ADO Contact]  
[Title]  
Memphis Airports District Office 2600  
Thousand Oaks Blvd., STE 2250  
Memphis, TN 38112-2462

Re: [Request Type]

Dear [FAA ADO Contact]:

[Project Description including appraisal and how funds will be used].

[Parcel Description including how the land was acquired and if any federal fund were used to acquire or modify the property]

[Why the request will not interfere with current or future airport operations and safety]

[Conclusion]

Regards,

[Airport Sponsor]

[Title]

# Land Release Submittal Checklist

## LAND RELEASE CHECKLIST

Airport: \_\_\_\_\_

Sponsor Contact: \_\_\_\_\_

Checklist Item	Explanation/ Description of Checklist Item
Will proposed use impact future airport development?	
Is proposed use identified on an approved ALP?	
What type of federal process conveyed the property: Federal grant or surplus property disposal?	
Identify federal project number and date property was acquired.	
Was the land to be released purchased without federal funds? Indicate date purchased.	
What is the proposed use of property?	
Will property be sold or leased?	
What is the estimated fair market value of the property?	
Is there a deadline date needed for determination?	
Is proposed use compatible with airport and environmental requirements?	
Will any structures be constructed on released property? If so provide maximum height of facilities.	

# Land Release Reference Document



U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

National Policy

**ORDER  
5190.6B**

Effective Date:  
September 30, 2009

**SUBJ:** FAA Airport Compliance Manual

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The Airport Compliance Program ensures airport sponsors' compliance with their federal obligations in the form of grant assurances, surplus and nonsurplus obligations, or other applicable federal law. The Airport Compliance Program is administered by the FAA headquarters Airport Compliance Division (ACO-100) based in Washington, DC.

This handbook provides guidance to FAA personnel on interpreting and administering the various continuing commitments airport sponsors make to the U.S. Government when they accept grants of federal funds or federal property for airport purposes. The handbook (i) analyzes the various federal obligations set forth in legislatively mandated airport sponsor assurances, (ii) addresses the nature of the assurances and the application of the assurances in the operation of public use airports, and (iii) facilitates interpretation of the assurances by FAA personnel. This manual was designed to provide guidance to FAA personnel pertaining to the Federal Aviation Administration (FAA) Airport Compliance Program.

A handwritten signature in black ink that reads "Randall S. Fiertz".

Randall S. Fiertz  
Director  
Airport Compliance and Field Operations Division (ACO-1)

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Distribution: A-W(RP)-1

Initiated By: ACO-1