

Clear Zones (CZ) and Accident Potential Zones (APZ)

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Promote compatible land uses around civil airports and military airfields	Section 2 of the Housing Act of 1949 as amended, 42 U.S.C 1331, affirmed by Section 2 of the Housing and Urban Development Act of 1969, P.L. No 90-448; Section 7(d) of the Dept HUD Act of 1965, 42 U.S.C. 3535 (d).	24 CFR Part 51 Subpart D 32 CFR Part 256

1. Is the Project located within 2,500 feet for a civil airport or within 15,000 feet for a military airfield of the end of a runway?

No: STOP here. The project is not within a Clear Zone (also known as Runway Protection Zone) or Accident Potential Zone. Record your determination.

Maintain in your ERR a radius map with the project area marked that identifies airports. The regulations only apply to military and civil primary and commercial service airports. The Federal Aviation Administration updates the list of applicable airports annually:
http://www.faa.gov/airports_airtraffic/airports/planning_capacity/passenger_allcargo_stats/passenger

Yes: PROCEED to #2

2. Is the Project in the CZ or APZ?

Contact the airport operator and obtain written documentation of the Clear Zone (also known as Runway Protection Zone) and for military airfields, the Accident Potential Zone, and a determination of whether your project is in the APZ or CZ.

No: STOP here. Record your determination that the project is not in a CZ or APZ.

Yes: PROCEED TO #3

3. For Civil and Military Airports, is the activity for new construction, major rehabilitation*, or any other activity which significantly prolongs the physical or economic life of existing facilities? For Accident Potential Zones at Military Airfields, does the project change the use of a facility so that it becomes one which is no longer acceptable in accordance with Department of Defense standards (Please see 32 CFR Part 256 for *Land Use Compatibility Guidelines for Accident Potential Zones*), significantly increases the density or number of people at the site, or introduces explosive, flammable or toxic materials to the area?

No: STOP here. The project is not subject to the regulations. Record your determination.

Yes: PROCEED to #4

4. Will the project frequently be used or occupied by people?

Yes: The project cannot be assisted with HUD funds. STOP HERE.

No: Obtain written assurance from the airport operator to the effect that there are no plans to purchase the land involved with the project as a portion of a Runway Clear Zone or Clear Zone acquisition program. Maintain copies of all of the documents you have used to make your determination

* Rehabilitation is major when the estimated cost of the work is 75% or more of the total estimated cost of replacement after rehab (Please see 24 CFR 58.35(a) for complete definition of major rehabilitation thresholds.)

DISCLAIMER: This document is intended as a tool to help TN CDBG grantees complete environmental requirements. This document is subject to change. This is not a policy statement. Legislation and Regulations take precedence over any information found in this document.

Preparer signature and title

Date