
 <p style="text-align: center;"><b>DEPARTMENTAL POLICY</b> State of Tennessee Department of Transportation</p>	<b>Policy Number : 170-02</b>
	<b>Effective Date:</b> May 1, 2012
<b>Approved By:</b> 	<b>Supersedes:</b> March 15, 2010
<b>SUBJECT: Policies under the Direction of the Tennessee Aeronautics Commission</b>	

**RESPONSIBLE OFFICE:** Aeronautics Division

**AUTHORITY:** TCA 4-3-2303. If any portion of this policy conflicts with applicable state or federal laws or regulations, that portion shall be considered void. The remainder of this policy shall not be affected thereby and shall remain in full force and effect.

TCA 42-2-301. The Tennessee Aeronautics Commission (TAC) shall serve in an advisory capacity to the Commissioner of Transportation and shall have the duty and responsibility to assist in the formulation of relevant policy planning.

**PURPOSE:** This policy is utilized by the Tennessee Aeronautics Commission in making recommendations to the Commissioner in administering state and federal funding for airports statewide.

**APPLICATION:** This policy is for the use of all agencies with responsibilities for airports and aviation in the state. Those agencies include city and county governments, airport boards and authorities.

**DEFINITIONS:** None

**POLICY:**

**Leasehold Interests** – Leases for sites to locate equipment, such as Non-Directional Beacon's (NDB's), will be eligible for state funding if the period of the lease equals or exceeds the reasonable life expectancy of the equipment.

**Fuel Facilities** – Fuel facilities and components, including upgrades to standards and replacements, are eligible for state funding at a 50 percent/50 percent cost share if such are publicly owned. Clean-up of contaminated areas is not eligible.

**Fuel Trucks** – Fuel trucks may be made eligible for state assistance for an airport at a 50 percent/50 percent cost share on a case-by-case basis. However, funding will be contingent upon the equipment meeting all current state and federal environmental and safety regulations at the time of acquisition.

**Funding Mobile Equipment**

A. All mobile or portable equipment used in the operation of the airport, excluding telephones and all vehicles,

are eligible for funding under the annual maintenance contract.

B. Aircraft rescue and fire-fighting equipment are eligible for 75 percent state funding at Part 139 airports only. (Airports that have scheduled and unscheduled air carrier aircraft operations.)

**Furnishings for Administration/Terminal Buildings** – State participation in the costs of projects to build or improve terminal buildings shall be limited to construction and installation of permanent fixtures, including heating and air conditioning systems, plumbing, lighting and electrical service. Furnishings for the building(s) shall be a local responsibility. In requesting funds for new construction or major improvements to an existing building, airport sponsors or owners must provide a plan and assurances of available funds for adequate furnishing of the building.

**Radio-Controlled and Variable Intensity Lighting Systems**

- A. Any airport with a system that requires pilots to activate the runway or taxiway lights will be ineligible for state funding for any projects or for annual maintenance assistance.
- B. Medium or high intensity lighting systems must be operated at no less than 10 percent brightness.
- C. All new lighting systems installed with state assistance shall include a radio-controlled unit for the purpose of intensity adjustment only.

Airport owners with existing medium or high intensity systems are encouraged to retrofit the system with a radio-controlled unit for the purpose of intensity adjustment only. The cost will be eligible for 90 percent state funding, subject to normal procedures for review and approval for funding requests.

**Buildings on Publicly-Owned Airports** – The non-aeronautical use of publicly-developed buildings or partial areas thereof on publicly-owned airports is highly discouraged. Should a community, in which non-aeronautical activity is present, make a request for state grant funding assistance for their public airport, other than the safety of aircraft operations, such request will be critically reviewed to determine airport management's intentions to promote aviation interests and activity, with the possibility that the request will not be approved until such time that the proper aeronautical building is restored.

**Auto Fuel** – No state funds will be applied to auto fuel tanks.

**Use of Tobacco Products** – The use of tobacco products in all airport public spaces is prohibited by state law.

**Maintenance Hangar** – If the state has never participated in a maintenance hangar at the airport, construction of a new hangar will be considered on a case-by-case basis. Removal of an existing maintenance hangar that is a Federal Aviation Administration (FAA) standards issue would be eligible at 90 percent/10 percent cost share with the hangar being reconstructed with either 90 percent federal non-primary or state funds. When hangars have reached their useful life expectancy (usually between 40-50 years) and replacement is more cost effective than repair, funding eligibility will be at a 50 percent state/50 percent local cost share. Site preparation and utilities will be included and funded at the same cost share as the hangar construction.

**Maximum Length of Time to Withhold Funds** – The maximum time an airport owner can hold State Transportation Equity Funds against a project is the fiscal year in which the project is proposed plus one additional fiscal year. A contract must be executed within the above timeframe, or dollars will revert back to the Transportation Equity Fund and be made available for other aviation approved projects. Policy applies to all categories of airports.

**Flexible Cost Sharing for Federal and State Projects** – Funding levels for state/federal and local shares will be adjusted and aligned with expected federal block grant funding authority. This should provide for a more unified and effective state and federal program. The aim of this policy change is to provide funding at a higher state/federal level for safety critical projects at Tennessee airports. This policy became effective 1 July 1998 and for federal projects on 1 October 1998.

**Funding Projects for Private Airports that are Open to the Public** – Only those projects that add to airport safety benefiting the public and that meet state licensing requirements will be eligible.

**Terminals** – The state will participate in funding for terminal buildings at a cost share of 50 percent, not to exceed \$350,000 state participation.

**Priority Ranking System** – Make adjustments to the priority ranking point system when needed to consider flexible funding cost shares between state/federal governments and local sponsors. Exception: Place-named airports and/or earmarked funding such as non-primary entitlements. (Programmed funds for general aviation airports listed in the National Plan of Integrated Airports that show needed airfield development.)

**Airport Capital Improvement Plan (ACIP)** – The Division has instituted this program to evaluate airport facilities for short and long term planning purposes. The goal of the ACIP is to provide the Division and FAA with advance information concerning potential project planning, engineering and funding assistance needs for both the upcoming year and several years into the future. The Division will maintain a list of potential projects by airport and by year and evaluate the airport facility needs in relation to the current ALP and available funding sources.

Each year the airport sponsor will be asked to update the airport's list of potential projects currently in the Divisions CIP records. They will be asked to plan for a minimum of three (3) years in advance. Projects included should be realistic (local funds have already been updated or approved) and reasonable (within the scope of the current, or soon-to-be updated, ALP).

Airports failing to provide an update to their existing CIP record by the requested deadline run the risk of having future funding requests penalized by an elimination of ranking points, at least until the time of the next CIP update. One additional ranking point is added to each project submitted through the annual project update process.

**Approach Clearing and Tree/Brush Clearing on Airport Property** – Approach clearing remains at 90 percent/10 percent cost share for tree clearing in areas violating FAA/state standards (approach and transitional area). All other tree/brush clearing on airport property will be funded at 50 percent/50 percent.

**Statewide Airport Maintenance Contracts** – Current “sliding scale” for the annual maintenance contracts is as follows:

<b>Item</b>	<b>Item Max</b>	<b>State Share Max</b>
Base Level (All Airports)	\$26,000	\$13,000
Navigational Aids <b>or</b>	\$ 3,000	\$ 1,500
Advanced (SDF, etc.) <b>or</b>	\$10,000	\$ 5,000
Instrument Landing System (ILS)	\$20,800	\$10,400
<b>Maximum Totals</b>	<b>\$46,800</b>	<b>\$23,400</b>

Costs to connect AWOS/ASOS to the national system will be considered an eligible item under the 50/50 maintenance contract. Eligible costs include – initial setup and monthly fees.

**Airport Maintenance Project Contracts** – Maintenance projects eligible under the statewide maintenance agreement for general aviation airports will be eligible for additional state funding as a stand-alone project only if the total amount exceeds \$3,000.00.

**Heliport Licenses** – Annual renewal of public heliport licenses at established healthcare facilities or established helipad locations intended for emergency medical helicopter transfers will not be required. The issued license will remain valid provided no material changes or impacts are made in the established helicopter landing area, approach/departure paths, or surrounding buildings/structures. Any proposed modifications or improvements around the landing area or approach/departure paths will be evaluated by the division upon notification. The hospital operator is responsible for notifying the Aeronautics Division of any such modifications or improvements that might impact helicopter operations.

A safety reminder postcard will be mailed annually to heliport owners alerting them to the process of notifying the Aeronautics Division of any modifications or improvements in facilities. The Aeronautics Division will also conduct at least eight (8) random heliport ‘spot checks’ on an annual basis.

All other public heliports will be site visited every three years and a follow-up report issued. New proposed heliport/helipad site approvals will be handled in accordance with existing departmental procedures contained in the Rules of the Tennessee Department of Transportation, Aeronautics Division, Licensing of Airports, Rule 1680-1-2-.03. Licenses may be revoked, voluntarily surrendered by owner, or suspended by the Aeronautics Division for reasons of safety.

**Incentives for Student Participation in the International Aviation Art Contest** – For several years, the Tennessee Department of Transportation, administered through the Aeronautics Division, has participated in the annual International Aviation Art Contest. This program is sponsored by the National Association of State Aviation Organization (NASAO) Center for Aviation Research and Education. To show Tennessee’s support for the program and encourage school-age students from 6 to 17 to participate and become involved in aviation, the Tennessee Aeronautics Commission initially recommended at their meeting on May 16, 1996, the following to recognize the first, second and third place winners with a monetary award. Teachers of each winner will receive like amount for use in the classroom.

TDOT will provide \$200 dollars to the first place winners in each of the three age categories;  
TDOT will provide \$100 dollars to the second place winners in each of the three age categories;  
TDOT will provide \$50 dollars to the third place winners in each of the three age categories.

**Conditional Airport License** – When a TDOT airport inspector points out a temporary condition (such as tree growth penetrating an approach slope) that would preclude the issuance of the annual airport license renewal, a “Conditional Airport License” may be issued with time restrictions for correcting the problem.

**Maximum Grant Participation Rate** – It is the policy of the Tennessee Aeronautics Commission that participation rates for either federal apportionment or state funding will be a maximum of 90 percent. Participation rates for federal discretionary ear-marked funds and Military Assistance Program funds will be at a cost share of 95 percent federal and 5 percent local.

**Flexible Use of Non-Primary Entitlements** – Airport communities desiring to transfer their Non-primary Entitlement to another airport community shall, by written agreement, notify TDOT – Aeronautics Division for concurrence.

**Fuel Reporting for Grant Eligibility** – A requirement for receiving financial assistance when an airport owner submits a project application to the Aeronautics Division for state and/or federal assistance, is that the airport owner shall certify that the airport fuel tax has been properly submitted for the previous quarter to the Department of Revenue.

**Through-the-Fence** – (Permits access to the public landing area by aircraft based on land adjacent to, but not part of, the airport property.) As a general principle, the FAA and the Tennessee Aeronautics Commission highly discourage any through-the-fence type operations. The investment by state and federal governments in the development of Tennessee's aviation infrastructure imposes a responsibility on those communities to ensure the integrity, security and self-sufficiency of the public airports by controlling unconditional access to public airfields. Future federal and state funding may be jeopardized!

**Secondary (Crosswind) Runways** – The state will consider participation in preservation projects associated with secondary runways at general aviation airports in order to maintain the integrity of the runway and its approach.

**State Grant Participation for Commercial Service Airports** – (Airports that have scheduled airline service and 10,000 or more annual passengers.) For commercial service airports, the state will participate at a 90 percent cost share on eligible projects not receiving federal monies. On projects receiving federal monies, the state will consider grant funding for one-half of the required local share.

**Construction Reimbursement** – No reimbursement can be made for any construction except for federal non-primary entitlement projects which have been approved for reimbursement by the TDOT Commissioner and only if federal funds for that fiscal year are appropriated.

**Grounds Maintenance Equipment** - Grounds Maintenance Equipment is eligible for publicly owned, GA airports at a 75 percent state/25 percent local funding percentage share (capped at \$60,000.00 state funds). Eligible equipment includes tractor, bush hog type or finish mower, loader, spray/fertilizing equipment and gasoline or diesel powered utility vehicle (e.g. - Gator/Mule UTV/not trucks). GA airports are limited to one funding request for Grounds Maintenance Equipment every six (6) years and must adhere to policy stipulations. Sponsors must agree to limit use of equipment to airport property only. There will no longer be any reimbursement for mowing by city or county employees or by contract. Air Carrier Airports will utilize their TEF set-a-side funding for this purpose.

**Project Request Presentations** – Project requests should be made by the responsible elected official or representative unless a prior arrangement is made and approved by the staff.

**Hangar Assistance at Non-NPIAS Airports** – It is the policy of the Aeronautics Commission that financial assistance for hangar construction at Non-NPIAS airports may be applied for at 90 percent state and 10 percent local, up to \$600,000.00 (this mirrors federal assistance at NPIAS airports under Vision 100).

**Building in Object Free Areas** – It is the policy of the Aeronautics Commission that financial assistance for building replacements may be applied for at 90 percent state and 10 percent local if the original buildings were

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removed from any safety area or Object Free Area (OFA) at 90 percent state and 10 percent local.

**Security and Fencing Policy** - It is the policy of the Tennessee Aeronautics Commission to assist in security enhancement projects and fencing projects which are for security at a 90 percent state and 10 percent local.

**Procedure:** The Aeronautics Division staff provides to the (TAC) at their annual Policy Review Meeting a list of existing and any newly proposed and/or revised policies on aviation related topics and/or issues. All newly proposed and/or revised policies that are recommended by the TAC are thereafter forwarded to the Department Commissioner or appointed authority for review and approval. Once approved by the Commissioner, the new and/or revised policy is disseminated to the airport communities statewide for their information.