



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

# ADVISORY CIRCULAR

**Subject:** Airspace Utilization Considerations in  
the Proposed Construction, Alteration,  
Activation and Deactivation of Airports

**Date:** 11/29/95

**AC No:** 70-2E

**Initiated by:** ATP-240

## 1. PURPOSE.

The purpose of this Advisory Circular is to advise those persons proposing to construct, activate or deactivate a civil or joint-use (civil/military) airport or to alter the status or use of such an airport of the requirement to notify the Federal Aviation Administration (FAA) of their plans. It also outlines some of the airspace utilization factors that should be considered early in the planning stages.

## 2. CANCELLATION.

This cancels AC No. 70-2D, dated August 1, 1979.

## 3. WHY NOTICE IS REQUIRED.

Prior notice is required to assure conformity to plans and policies for, and allocations of, airspace by the FAA. The FAA, after receiving such notice, will advise as to the effects the proposed construction or alteration would have on the use of the navigable airspace by aircraft.

**4. EFFECTIVE DATE.** This advisory circular becomes effective January 1, 1996.

## 5. PENALTY.

Any person who fails to give proper notice shall be subject to a civil penalty.

## 6. DEFINITION OF TERMS.

a. Public use airport - an airport that is available for use by the general public without a requirement for prior approval of the owner or operator.

b. Private use airport - an airport that is available for use by the owner only or by the owner and other persons authorized by the owner.

c. Airport - any airport, heliport, helistop, vertiport, gliderport, seaplane base, ultralight flightpark, manned balloon launching facility, or other aircraft landing or takeoff area.

## 7. PROJECTS REQUIRING NOTICE.

Federal Aviation Regulations, Part 157, requires that each person who intends to do any of the following shall notify the Administrator.

a. Construct or otherwise establish a new airport or activate an airport.

b. Construct, realign, alter, or activate any runway or other aircraft landing or takeoff area of an airport.

c. Deactivate, discontinue using, or abandon an airport or any landing or takeoff area of an airport for a period of one year or more.

d. Construct, realign, alter, activate, deactivate, abandon, or discontinue using a taxiway associated with a landing or takeoff area on a public-use airport.

e. Change the status of an airport from private use to public use or from public use to another status.

f. Change any traffic pattern or traffic pattern altitude or direction.

g. Change status from instrument flight rules (IFR) to visual flight rules (VFR) or VFR to IFR.

## 8. PROJECTS NOT REQUIRING NOTICE.

Notice requirements under Part 157 do not apply to any project involving:

a. An airport subject to conditions of a Federal agreement that requires an approved current airport layout plan to be on file with the FAA; or

b. An airport at which flight operations will be conducted under VFR and which is used or intended to be used for a period of less than 30 consecutive days with no more than 10 operations per day; or

c. The intermittent use of a site that is not an established airport, which is used or intended to be used for less than one year and at which flight operations will be conducted only under VFR. For the purposes of this part, intermittent use of a site means:

1. The site is used or is intended to be used for no more than 3 days in any one week; and

2. No more than 10 operations will be conducted in any one day at that site.

## 9. HOW TO SUBMIT NOTICE.

a. Notice shall be submitted on FAA Form 7480-1, Notice of Landing Area Proposal, copies of which may be obtained from an FAA Airport District/Field Office or Regional Office, to one of those offices and shall be submitted at least:

1. in cases prescribed in (a) through (d) of paragraph 6 above, 90 days in advance of the day that work is to begin; or

2. in cases prescribed in (e) through (g) of paragraph 6 above, 90 days in advance of the planned implementation date.

b. Notwithstanding paragraph (a) of this section-

1. in an emergency involving essential public service, public health, or public safety or when the delay arising from the 90-day advance notice requirement would result in an unreasonable hardship, a proponent may provide notice to the appropriate FAA Airport District/Field Office or Regional Office by telephone or other expeditious means as soon as practicable in lieu of submitting FAA Form 7480-1. However, the proponent shall provide full notice, through the submission of FAA Form 7480-1, when otherwise requested or required by the FAA.

2. notice concerning the deactivation, discontinued use, or abandonment of an airport, an airport landing or takeoff area, or associated taxiway may be submitted by letter. Prior notice is not required; except that a 30-day prior notice is required when an established instrument approach procedure is involved or with the affected property is subject to any agreement with the United States requiring that it be maintained and operated as a public-use airport.

c. The geographic area of jurisdiction for each FAA Regional Office and location of each Airports District/Field Office can be obtained from Advisory Circular 150/5000-3, Address List for Regional Airports Divisions and Airports District/Field Offices. In addition, copies of FAA Form 7480-1 may be obtained from these offices. An example of the notice form and the instructions are shown in Appendix 1.

## 10. AIRSPACE UTILIZATION CONSIDERATIONS.

The FAA will conduct an aeronautical study to determine the effect of the airport proposal on the safe and efficient use of airspace by aircraft. Some of the factors considered in the study are:

a. Existing or contemplated traffic patterns of neighboring airports;

b. The effects the proposed action would have on the existing airspace structure and projected programs of the FAA; and

c. The effects that existing or proposed manmade objects (on file with the FAA) and natural objects within the affected area would have on the airport proposal.

## 11. COORDINATION WITH INTERESTED PERSONS.

As part of the aeronautical study, the FAA may consult with interested persons regarding the substance of the proposal. This coordination may be accomplished through interviews, conferences, informal airspace meetings, or through the distribution of circulars describing the proposal and offering a prescribed period of time within which the public may submit comments on the proposal.

## 12. DETERMINATIONS.

The purpose of an aeronautical study is to give advice to the proponent in the form of an FAA determination. These determinations will be issued in one of the following categories:

a. "No Objection" - will not adversely affect the safe and efficient use of airspace by aircraft.

b. "Conditional" - a conditional determination will identify the objectionable aspects of a project or action and specify the conditions which must be met and sustained to preclude an objectionable determination.

c. "Objectionable" - will adversely affect the safe and efficient use of airspace by aircraft (reasons for issuing such a determination will be given).

## 13. EFFECTIVE PERIOD OF DETERMINATION.

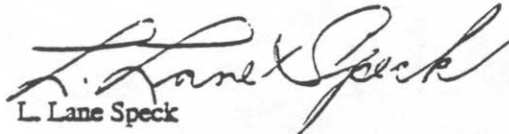
Except for an objectionable determination, each determination will contain a determination void date to facilitate efficient planning of the use of the navigable airspace. All work or action for which notice is required must be completed by the determination void date. Unless otherwise extended, revised, or terminated, an FAA determination becomes invalid on the day specified as the determination void date.

## 14. NOTICE OF COMPLETION.

The proponent of an airport proposal shall notify the appropriate FAA office by FAA Form 5010-5 or letter within 15 days after completion of the project.

**15. PLANNING ASSISTANCE.**

FAA specialists are available to provide assistance during project planning stages on the feasibility of a project from an airspace utilization standpoint. Prospective project sponsors are encouraged to take advantage of this service, particularly on new airport projects, before money is expended for acquisition of real property or for elaborate engineering plans. Such service is informal in nature and the proposal will not be circulated to the public for comments unless specifically requested by the proponent.



L. Lane Speck

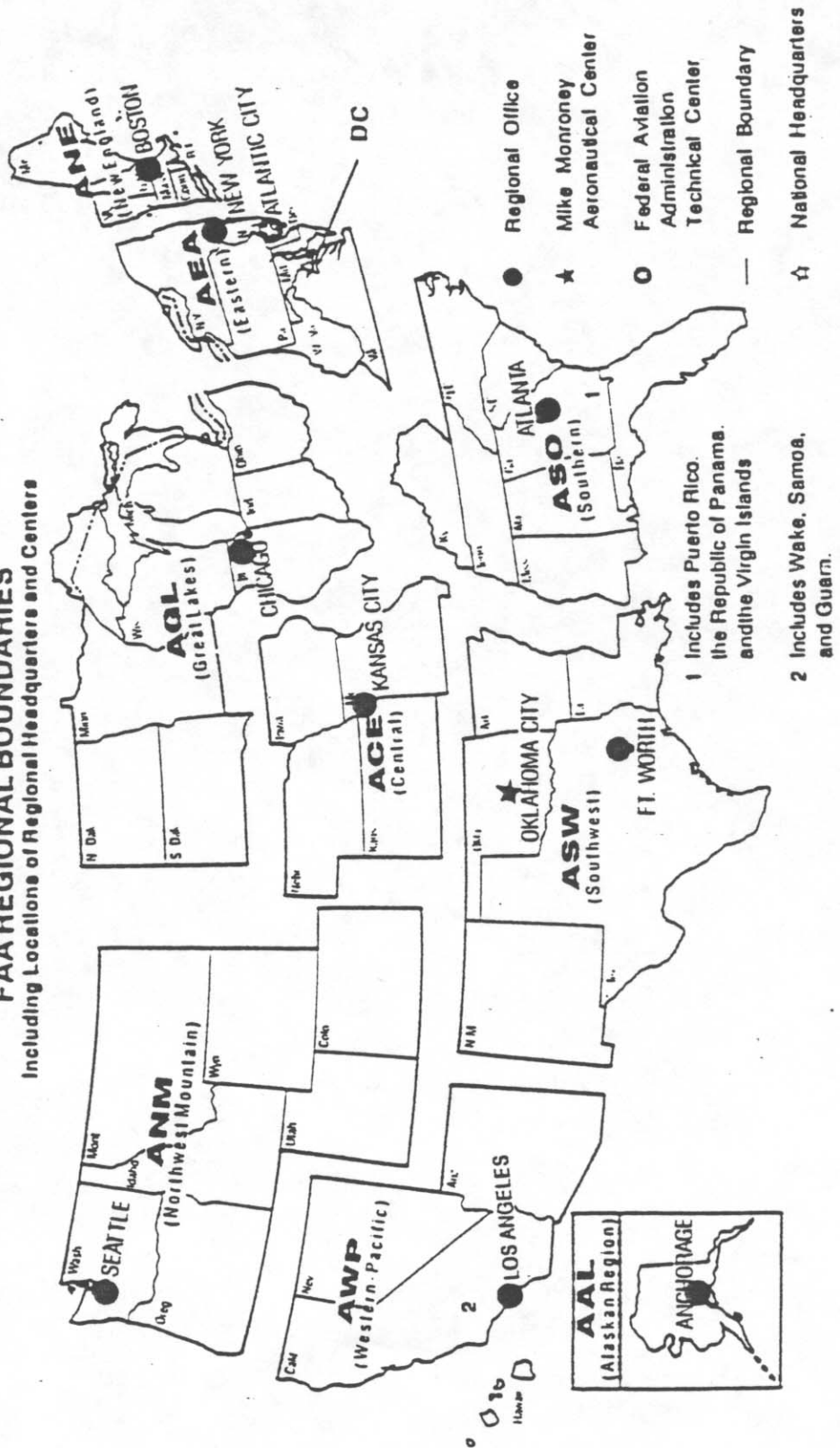
Program Director for Air Traffic Rules and Procedures

**16. STATE AND/OR LOCAL REPORTING REQUIREMENTS.**

An FAA determination does not relieve the proponent of responsibility for compliance with any local law, ordinance or regulation, or state or other Federal regulation. Aeronautical studies and determinations will not consider environmental or land use compatibility impacts.



**U.S. DEPARTMENT OF TRANSPORTATION  
Federal Aviation Administration  
FAA REGIONAL BOUNDARIES**  
Including Locations of Regional Headquarters and Centers





## Appendix 1

**Agency Display Of Estimated Burden For Notice of Landing Area Proposal**

The public report burden for this collection of information is estimated to average 45 minutes per response.

If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to OMB and the FAA at the following addresses:

Office of Management and Budget  
Paperwork Reduction Project 2120-0036  
Washington, D.C. 20503

- and -

U.S. Department of Transportation, Federal Aviation Administration  
Airspace and Obstruction Evaluation Branch, ATP-240  
300 Independence Avenue, S.W.  
Washington, D.C. 20591



U.S. Department of Transportation  
Federal Aviation Administration

## INSTRUCTIONS NOTICE OF LANDING AREA PROPOSAL

(Use Back of This Sheet as Worksheet)

As Used Herein, The Term "Airport" Means

Any Landing or Takeoff Area such as Airport, Heliport, Heliport, Vertiport, Gliderport, Seaplane Base, Ultralight Flightport, or Balloonport

Federal Aviation Regulations Part 157 requires all persons to notify the FAA at least 90 days before any construction, alteration, activation, deactivation, or change to the status or use of a civil or joint-use (civil/military) airport. Notice is not required for the establishment of a temporary airport at which operations will be conducted under visual flight rules (VFR) and will be used for less than 30 days with no more than 10 operations per day. Notice also is not required for the intermittent use of a site that is not an established airport, which is used for less than one year and at which flight operations will be conducted only under VFR. Intermittent use means the use of the site for no more than 3 days in any one week and for no more than 10 operations per day.

Required notice shall be submitted on this form from each person who intends to do any of the following:

1. Construct or otherwise establish a new airport or activate an airport.
2. Construct, resurf, alter, or activate any runway, or other aircraft landing or takeoff area of an airport.
3. Construct, resurf, alter, or activate a taxiway associated with a landing or takeoff area on a public-use airport.
4. Deactivate, discontinue using, or abandon an airport or any landing or takeoff area of an airport for a period of one year or more.
5. Deactivate, abandon, or discontinue using a taxiway associated with a landing or takeoff area on a public-use airport.
6. Change the status of an airport from private use (use by the owner or use by the owner and other persons authorized by the owner) to an airport open to the public or from public-use to another status.
7. Change status from IFR to VFR or VFR to IFR.
8. Establish or change any traffic pattern or traffic pattern altitude or direction.

The notice required shall be made by submitting this form to the nearest Federal Aviation Administration Regional Office or Airports District Office. However, in an emergency involving essential public service or when the delay arising from the 90-day advance notice requirement would result in an unreasonable hardship, you may provide notice to the appropriate FAA Airports District/Field Office by telephone in lieu of submitting this form. The FAA may require the subsequent submission of this form when necessary for safety or other reasons.

Section 901 of the Federal Aviation Act of 1958, as amended, provides that any person who violates a rule, regulation or order issued under Title III of this Act shall be subject to a civil penalty not to exceed \$1,000 for each violation.

### GENERAL INSTRUCTIONS

1. For any project falling in categories 1, or 2 above, complete all appropriate sections.
2. For any project falling in categories 3, 4, or 5 above, complete sections A, B, D (if appropriate), and I.
3. For status change (categories 6 or 7 above), from private use to public use or from VFR to IFR, complete sections A, B, E, G, and I. For all other changes, complete sections A, B, and I.
4. For traffic pattern establishment or change (category 8), complete all appropriate sections. Traffic pattern description should be entered on the reverse side of FAA Form 7480-1.
5. Express all bearings as magnetic and mileages as nautical.
6. Please Print or Type All Items.

Section A — Identify Reference Datum of Coordinates (NAD 83 or NAD 27).

Section B — If the airport is to be used by the owner only, or by the owner and persons authorized by the owner, check "private". If the landing and takeoff area of the airport is publicly owned and the operator is a non-government entity, then check "private use of public lands". If the airport is to be available for use by the general public without a requirement

for prior approval of the owner or operator, then check "public". If necessary, use the reverse side of this form or a separate sheet of paper to describe changes or alterations.

Section C — Airport or seaplane base: List VFR airports and heliports within 5NM, and IFR airports within 20NM. Heliports: List VFR airports and heliports within 3NM and IFR airports within 10NM.

Section D — Attach U.S. Geological Survey quadrangle map or equivalent. Plot locations of facility to the nearest second, runway alignments, associated taxiways or seaplane alignments. When appropriate, use city map for heliports.

Section E — List and plot on quadrangle map or equivalent any obstructions within 3 NM of a VFR airport or a seaplane base; 5 NM of an IFR airport; or 5,000 feet of a heliport.

Section F — Self-explanatory.

Section G — List schools, churches and residential communities within a 2NM radius for airports and within a 1NM radius for heliports. List all waste disposal sites within a 5 NM radius.

Section H — Self-explanatory.

NOTE: Additional copies of FAA Form 7480-1 may be obtained from the nearest FAA Airports District Office or Regional Office.  
Notification to the FAA does not waive the requirements of any other government agency.

### ADDRESSES OF THE REGIONAL OFFICES

#### Western Pacific Region AZ, CA, HI, NV, GU

Western-Pacific Regional Office  
Airports Division, AWP-600  
15000 Aviation Boulevard  
Hawthorne, CA 90251  
Mail Address:  
P.O. Box 92007  
Worldway Postal Center  
Los Angeles, CA 90009  
Tel. 310-297-1240 Fax: 310-297-0490

#### Alaskan Region AK

Alaskan Regional Office  
Airports Division, AAL-600  
222 West 7th Avenue, Box 14  
Anchorage, AK 99513  
Tel. 907-271-5438 Fax: 907-271-2851

#### Eastern Region DC, DE, MD, NJ, NY, PA, VA, WV

Eastern Regional Office  
Airports Division, AEA-600  
JFK International Airport  
Fitzgerald Federal Building  
Jamaica, NY 11430  
Tel. 718-553-3341 Fax: 718-995-9219

#### Southern Region

AL, FL, GA, KY, MS, NC, SC, TN, PR, VI

Southern Regional Office  
Airports Division, ASO-600  
1710 Columbia Ave.  
College Park, GA 30337  
Mail Address:  
P.O. Box 20678  
Atlanta, GA 30320  
Tel. 404-305-6700 Fax: 404-305-6730

#### Northwest Mountain Region CO, ID, MT, OR, UT, WA, WY

Northwest Mountain Reg. Office  
Airports Division, ANM-600  
1601 Lind Ave., S.W., Suite 540  
Renton, WA 98055-4056  
Tel. 206-227-2500 Fax: 206-227-1600

#### Great Lakes Region

IL, IN, MI, MN, ND, OH, SD, WI

Great Lakes Regional Office  
Airports Division, AGL-600  
2300 East Devon Avenue  
Des Plaines, IL 60018  
Tel. 312-874-7272 Fax: 312-874-7036

#### Southwest Region AR, LA, NM, OK, TX

Southwest Regional Office  
Airports Division, ASW-600  
2601 Meacham Blvd.  
Fort Worth, TX 76137-4298  
Mail Address:  
Federal Aviation Administration  
Fort Worth, TX 76193-0600  
Tel. 817-222-5600 Fax: 817-222-5984

#### Central Region IA, KS, MO, NE

Central Regional Office  
Airports Division, ACE-600  
601 East 12th Street  
Kansas City, MO 64108  
Tel. 816-425-5278 Fax: 816-425-3255

#### New England Region

CT, MA, ME, NH, RI, VT

New England Regional Office  
Airports Division, ANE-600  
12 New England Executive Park  
Burlington, MA 01803  
Tel. 817-273-7044 Fax: 817-273-7049