

Supporting Statement
2120-0036
Notice of Landing Area Proposal

A. Justification.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation.

49 U.S.C. Section 44502 (c) (2) provides that “To insure conformity, an airport or landing area not involving the expenditure of Government money may be established or constructed, or any runway may be altered substantially, only if the Administrator of the FAA is given reasonable prior notice so that the Administrator may provide advice on the effects of the establishment, construction, or alteration on the use of airspace by aircraft.”

Regulations to implement the provisions of Section 44502 are contained in Title 14 of the Code of Federal Regulations Part 157 (Notice of Construction, Alteration, Activation, and Deactivation of Airports). This regulation requires that notice shall be submitted on this form from each person who intends to do any of the following:

- Construct or otherwise establish a new airport or activate an airport (Airport means any airport, heliport, helistop, vertiport, gliderport, seaplane base, ultralight flightpark, manned balloon launching facility, or other aircraft landing or takeoff area.).
- Construct, realign, alter or activate any runway or other aircraft landing or takeoff area of an airport.
- Construct, realign, alter or activate a taxiway associated with a landing or takeoff area on a public-use airport.
- Deactivate, discontinue using or abandon an airport or any landing or takeoff area of an airport for a period of one year or more.
- Change the status of an airport from private use to public use or from public use to another status.
- Change any traffic pattern or traffic pattern altitude or direction.
- Change status from IFR to VFR or VFR to IFR.

This collection of information supports DOT’s strategic goal on safety.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Federal Aviation Regulations Part 157 requires all persons to notify the FAA before any construction, alteration, or change to the status or use of an airport. FAA Form 7480-1 (Notice of Landing Area Proposal) is used to collect the information, and it is collected on an as needed basis.

The information collected provides the basis for:

- Determining the effect the proposed action would have on existing airports and on the safe and efficient use of airspace by aircraft.
- Determining the effects the proposed action would have on existing or contemplated traffic patterns of neighboring airports.
- Determining the effects the proposed action would have on the existing airspace structure and projected programs of the FAA.
- Determining 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.

Proponents are also required to notify the FAA by letter or by FAA Form 5010-5 within 15 days after completion of the project. This notification is required because many proposals are never completed for reasons pertinent only to the sponsor. The confirmation of the completion of the project is needed in order to identify the cancelled proposals, so as to release any airspace that may have been reserved; and to update aeronautical charts and flight information publications.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting the means of collection. Also describe any consideration of using information technology to reduce burden.

In compliance with the Government Paperwork Elimination Act (GPEA), the FAA has automated Form 7480-1 and the form is now available on the Internet in the FAA's web site. This has proven to be a great benefit to the respondents. Persons who need to file notice with the FAA can now download the form at their convenience from any computer that has Internet access, thereby greatly reducing the burden to persons filing notice with the FAA. The Obstruction Evaluation-Airport Airspace Analysis (OE/AAA) program is under revision to allow respondents to file notice electronically. Electronic filing of the 7480-1 will be available in early 2007.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use of the purposes described in item 2 above.

The FAA is the only Federal agency with this statutory requirement. To our knowledge, there is no known duplicate reporting and there is no similar information available on this subject.

5. If the collection of information impacts small business or other small entities, describe any methods used to minimize burden.

The information collected has been designed to minimize the burden on all respondents. Any State or local government, small business, or individual proposing to establish, alter, or construct a landing area can receive assistance from the FAA during the project planning phase 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 the acquisition of real property or for projects involving extensive engineering plans.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The collection of information is essential to the FAA's Congressionally mandated mission to administer in the public interest as necessary to insure the safety of aircraft and the safe and efficient use of airspace by aircraft. The FAA does not dictate the frequency of collections. It is incumbent upon a proponent to file notice regarding the construction, alteration, or realignment of any airport or runway on an as needed basis.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5(d)(2).

This information is collected in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Notice was published in the Federal Register soliciting public comment on this collection on September 14, 2006, vol. 71, no. 178, on page 54329. No comments were received.

On a case-by-case basis, the FAA conducts aeronautical studies (airport airspace analysis, flight safety review, and review of potential effect on air traffic control air navigation facilities) and consultations are held with interested persons. The agency issues an airspace determination in a letter to the sponsor advising:

- No objection to the proposal; or
- No objection to the proposal if certain conditions are met; or
- Objectionable; reasons cited.

These consultations range from distribution of airspace circulars to describing the proposal and offering a public comment period, or to an informal airspace meeting.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

No payments or gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

We offer no assurance of confidentiality.

11. Provide additional justification for any questions of a sensitive nature.

There are no sensitive questions.

12. Provide estimates of the burden of collection of information.

The number of notices filed annually is approximately 1500. The amount of time to complete the requested information is 45 minutes (.75 hour).

$1500 \times .75 \text{ hour} = 1125 \text{ hours}$

The cost to the respondents is estimated to be \$47,295. This is based on a salary of \$41 an hour ($1500 \times .75 \times \$41 = \$46,125$) in filling out the form and the cost of mailing the initial notice and subsequent follow-up notification to FAA after completion of project ($1500 \times \$39 \times 2 = \1170).

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no additional startup costs not already included in Number 12.

14. Provide estimates of annualized cost to the Federal Government.

The cost to the Federal Government is estimated to be \$240,000. This is based on a salary of \$38 an hour (average 3 hours per case) for FAA personnel to process, analyze, and issue FAA determinations (1500 X 38 X 3 = \$171,000; plus cost of printing form (\$1000); and public notification of proposals/changes to aeronautical issuance's (\$68,000).

15. Explain reasons for changes in burden, including the need for any increase.

Number of notices reduced to 1500/yr. Based on average of 45 notices processed each yr. in each of the 28 Airports Region/District offices and 240 notices processed in Headquarters. (28 offices x 45 notices = 1260 + 240 headquarters notices = 1500.)

16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used.

This information collection is not a statistical survey.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The FAA requests an exemption from placing the expiration date on FAA Form 7480-1 because it is not cost-effective to amend an advisory circular due to an expiration date; because the form is used on a recurring basis; because it is not cost-effective to destroy unused stock of the form; and because it is not cost-effective to change the electronic version of the form due to an expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

Item (i) does not apply. This information collection is not a statistical survey.

Attachments:

1. Supporting Statement
2. 30 Day Notice
3. 60 Day Notice
4. Form 7480-1
5. 49 USC 44502
6. 14 CFR Part 157