



421 Aviation Way
Frederick, Maryland 21701

T. 301-695-2000
F. 301-695-2375

www.aopa.org

September 17, 2010

Mr. Randall Fiertz
Director, Airport Compliance and Field Operations
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Re: Docket Number FAA-2010-0831

Dear Mr. Fiertz:

The Aircraft Owners and Pilots Association (AOPA) is submitting this letter in partial response to the notice of proposed policy, *Airport Improvement Program (AIP): Policy Regarding Access to Airports From Residential Property*, Docket Number FAA-2010-0831. This letter is specifically addressing a statement made in the proposed policy concerning AOPA's stance on new residential through-the-fence (RTTF) access arrangements at federally obligated public use airports.

In the *Comments Received on Residential Through-the-Fence Access, July 2009-March 2010* section of the proposed policy statement, the Federal Aviation Administration (FAA) states that "AOPA would accept a policy against establishing new residential through-the-fence access arrangements, but believed that existing locations should be permitted to continue." This is a mis-statement as AOPA believes that the FAA should consider new RTTF access at airports that can meet very strict criteria the FAA would establish to protect the federal investment in the airport.

In comments submitted to the docket regarding draft Compliance Guidance Letter 2009-1, *Through-the-Fence and On-Airport Residential Access to Federally Obligated Airports*, dated October 13, 2009, AOPA specifically stated that "We can understand the agency's desire to limit or prevent new developments from being built, and believe that the new guidance can and should address the FAA expectations for challenges facing approval of residential TTF agreements going forward." That is not acceptance of a policy prohibiting new RTTF access establishment. Rather that statement very clearly indicates that the FAA should not necessarily close the door to future requests but rather establish specific criteria for new RTTF access and not ban it entirely.

Additionally, in our comments on the FAA's Airport Compliance Manual, issued as Order 5190.6B, in response to Chapter 20.4 entitled "Residential Airparks Adjacent to Federally Obligated Airports", AOPA stated "Furthermore, we suggest that airport sponsors who wish to create or allow residential TTF access in the future should be held to a high standard for protecting land adjacent to the airport including avigation easements, strict zoning of other adjacent lands, and inclusion of appropriate fees." This language was included to suggest our thoughts on a way forward for the FAA in consideration of future RTTF access.

AOPA will submit more detailed comments on the rest of the proposed policy in the near future, but we wanted to clear up this mischaracterization of our previous positions immediately.

Sincerely,


Gregory Pecoraro
Vice President, Airports and State Advocacy

AIRCRAFT OWNERS AND PILOTS ASSOCIATION