



**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
STAFF REPORT**

**Item No.  
15**

Meeting Date: **SEPTEMBER 2, 2010**

**Subject:**

**Authorization to Execute a Memorandum of Agreement with the Federal Aviation Administration Covering Navigational Aids at San Diego International Airport**

**Recommendation:**

Adopt Resolution No. 2010-0101, authorizing the President/CEO to enter into a Memorandum of Agreement with the Federal Aviation Administration (FAA) covering all FAA-owned and operated navigational aids at San Diego International Airport.

**Background/Justification:**

The FAA is working with airports nationwide to consolidate leases with individual airport operators covering navigational aids at each airport into one overarching Memorandum of Agreement (MOA) with the airport operator. In 2005, the FAA officially adopted a standard MOA and mandated that all airports receiving Airport Improvement Program Grants enter into the MOA. The agency is working with airports across the country in this consolidation effort. Examples of other major airports that have already executed the MOA include:

- Hartsfield-Jackson International Airport
- McCarran International Airport in Las Vegas
- Seattle-Tacoma International Airport
- Denver International Airport
- Dallas/Ft. Worth International Airport
- Minneapolis-St. Paul International Airport

The Authority currently has nine individual leases with the FAA covering each of the FAA's navigational aids at San Diego International Airport. The equipment covered by these leases is enumerated below and the locations are identified on the attached locator map (Attachment A):

1. Airport Surface Detection Equipment (ASDE-3) Fixed Target Reflectors
2. Localizer Antenna Array Facility and Equipment Shelter
3. Instrument Landing System (ILS)
4. Precision Approach Path Indicator (PAPI)
5. Remote Transceiver Site (RTR)

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6. Remote Visual Range Installations (RVR)
7. Medium-Intensity Approach Lighting System with Runway Alignment Indicator Lights and Runway End Identifier Lights on Runway 27 (MALSR/REIL)
8. Medium-Intensity Approach Lighting System (MALSR-B) with Runway Alignment Indicators (RAIL) and Instrument Landing System (ILS) Localizer on Runway 9
9. Air Traffic Control Tower Fiber Optic Cable Easement
10. Air Traffic Control Tower

The MOA will supersede the existing leases between the Authority and the FAA. The salient terms of the MOA are summarized on the attached Summary (Attachment B).

**Fiscal Impact:**

Neither the existing leases nor the proposed MOA with the FAA are revenue generating agreements and neither imposes any obligatory expense on the part of the Authority. Consequently, there is no fiscal impact resulting from this requested Board action.

**Environmental Review:**

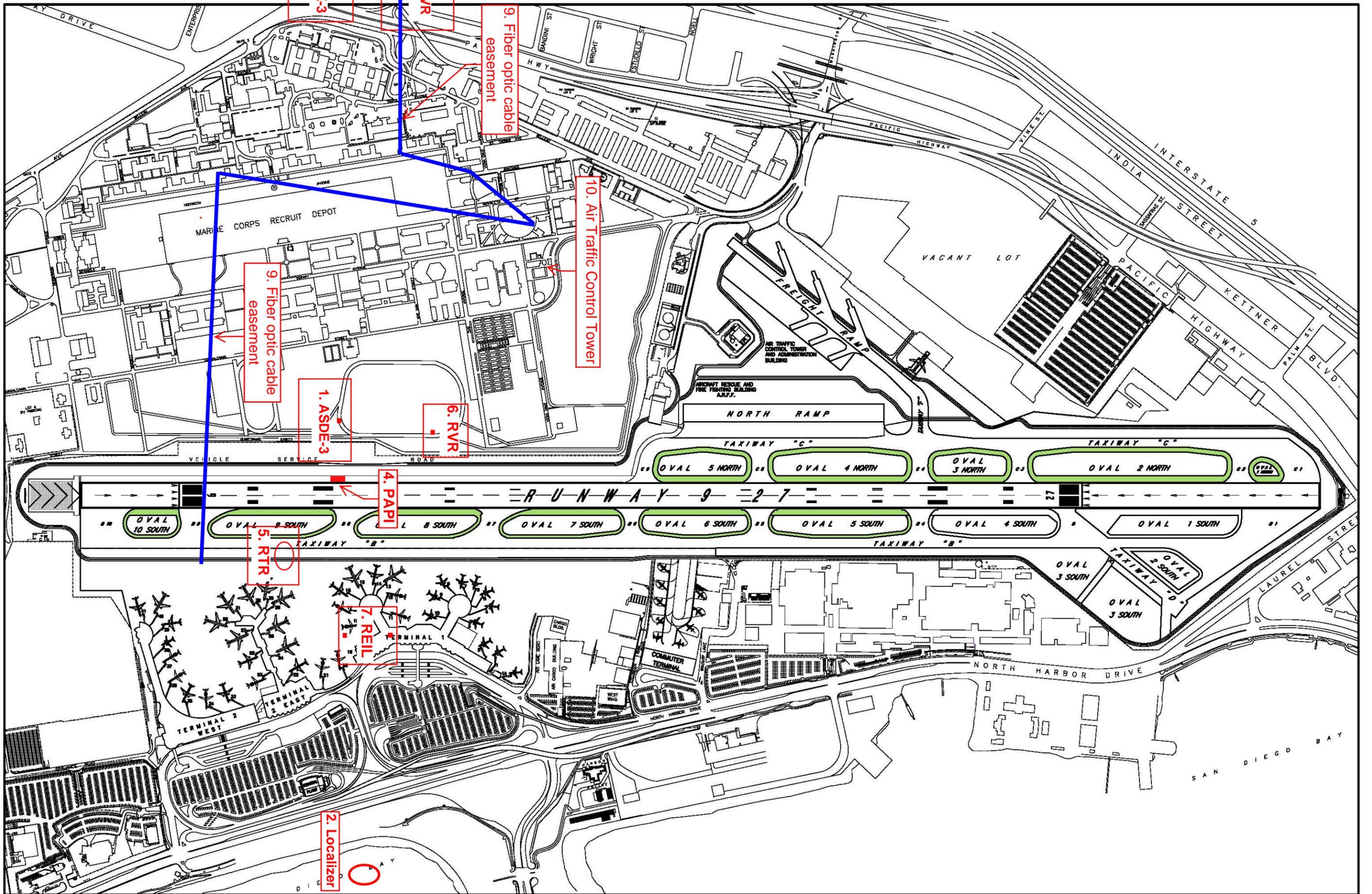
- A. CEQA: This Board action, is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Equal Opportunity Program:**

Not applicable.

**Prepared by:**

VERNON D. EVANS  
VICE PRESIDENT, FINANCE/TREASURER



SDS-3

6: RVR

9. Fiber optic cable easement

10. Air Traffic Control Tower

9. Fiber optic cable easement

1. ASDE-3

6: RVR

4. PAPI

5. RTR

7. REIL

2. Localizer

**Summary of Memorandum of Agreement**

**Term:** 9 years, 8 months (October 1, 2010 – May 31, 2020)

**Termination:** FAA can terminate with 60 days' written notice

**Rights Granted:** FAA access to establish, maintain, and alter navigational aids on Airport property

**Consideration:** No monetary consideration

**Improvements:** Authority has right to review, comment, and reject any FAA improvement plans

**Restoration:** Upon expiration or termination, Authority may require FAA to restore the premises to original condition. FAA may either (a) restore premises to conditions existing prior to occupancy, or (b) pay the cost of restoration or the reduction in property value if unrestored, whichever is less; payments not to exceed appropriations available at the time.

**Remediation:** FAA to pay for remediation of contamination resulting from its installation, operation, relocation and/or maintenance of its facilities.

**Other Conditions:** Authority retains right to develop Airport property with the understanding it must avoid interference with FAA navigational aids and will bear the cost of their relocation, replacement, or modification if impacted by Authority improvements

RESOLUTION NO. 2010-0101

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AUTHORIZING THE PRESIDENT/CEO TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) COVERING ALL FAA-OWNED AND OPERATED NAVIGATIONAL AIDS AT SAN DIEGO INTERNATIONAL AIRPORT

WHEREAS, the San Diego County Regional Airport Authority ("Authority") currently leases airport property from the San Diego Unified Port District ("Port") pursuant to that certain Lease dated December 17, 2002 and bearing Authority Document No. AA-0008; and

WHEREAS, paragraph 2 in said Lease specifies that Authority may use the Leased Premises for airport purposes; and

WHEREAS, the United States Federal Aviation Administration ("FAA") is working with airports nationwide to consolidate leases with individual airport operators covering navigational aids at each airport into one overarching Memorandum of Agreement (MOA) which shall supersede all existing leases covering said navigational aids; and

WHEREAS, the FAA officially adopted in 2005 a standard MOA and mandated that all airports receiving Airport Improvement Program Grants enter into the MOA; and

WHEREAS, the San Diego County Regional Airport Authority ("Authority") has nine individual leases with the FAA covering each of the FAA's navigational aids at San Diego International Airport; and

NOW THEREFORE BE IT RESOLVED, that the Board hereby authorizes the President/CEO to enter into a Memorandum of Agreement with the FAA covering all FAA-owned and operated navigational aids at San Diego International Airport.

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority finds that this Board action is not a "project" as defined by the California Environmental Quality Act (CEQA) Pub. Res. Code Section 21065; and is not a "development" as defined by the California Coastal Act Pub. Res. Code Section 30106.

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PASSED, APPROVED AND ADOPTED by the Board of the San Diego  
County Regional Airport Authority at a regular meeting this 2nd day of  
September, 2010 by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL

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