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Federal Aviation Authority (FAA) and Airport Authority Roles

Summary of FAA Statutory Authority and Airport Authority Role

The FAA is the sole authority for regulating and determining the safety of aircraft operations. In this capacity, The FAA evaluates proposed buildings and other structures under 14 CFR Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*. The FAA's authority is to determine whether a structure constitutes a hazard to air navigation based on federally established obstruction standards and aeronautical criteria.

In contrast, airport authorities such as MWAA derive their authority from their responsibility to own, operate, and maintain individual airports or systems of airports. Their responsibilities include airport planning, infrastructure management, airfield safety, and the administration of airport facilities. Although airport authorities routinely evaluate proposed development near airports, they do not issue determinations of whether a structure constitutes a hazard to air navigation under Part 77.

The respective roles of the FAA and airport authorities are summarized as follows.

FAA	Airport Authority
Sole authority as regulator of navigable airspace safety.	Operates and manages an individual airport.
Applies 14 CFR Part 77 and FAA obstruction evaluation criteria.	Applies airport-specific planning and management criteria.
Determines whether a structure is a hazard to air navigation.	Determines whether a structure may affect airport use, planning, or efficiency.
Uses nationally standardized technical criteria.	May apply criteria unique to the airport or airport owner.
Issues a Determination of Hazard or Determination of No Hazard.	Provides technical comments, recommendations, or operational assessments.
Evaluates compatibility with the National Airspace System.	Evaluates compatibility with airport management objectives.

Purpose of the Evaluation

The FAA evaluates whether a proposed structure would have an adverse effect on the safe and efficient use of the National Airspace System (NAS). The evaluation is intended to determine compatibility with federal obstruction standards and the continued safe use of navigable airspace.

An airport authority evaluates whether a proposed structure could affect the management or use of a specific airport. These evaluations typically consider airport-specific concerns, including existing airport procedures, infrastructure, future development, emergency planning, local operational practices, and airport efficiency. The objective is to understand potential effects on the airport rather than determine whether the structure constitutes a federal obstruction hazard.

Evaluation Criteria

FAA aeronautical studies apply standardized federal criteria:

- Penetration of Part 77 imaginary surfaces.
- Effects on published instrument flight procedures.
- Air traffic control surveillance and communications.
- Required obstacle clearance.
- Airport geometry and runway protection criteria.
- Effects on navigable airspace and aircraft operations.
- Mitigation measures, including marking and lighting.

The FAA evaluates measurable effects using established flight procedure criteria.

Airport authorities may evaluate many of the same technical subjects but may also consider airport-specific factors that are not federal obstruction standards. These considerations may be more conservative than federal standards because they reflect airport management objectives rather than federal regulatory requirements. These may include:

- Airport design objectives.
- Preferred aircraft operating practices.
- One-engine-inoperative (OEI) planning.
- Future runway or taxiway development.
- Airport master planning.
- Airport capacity and efficiency.
- Internal safety margins or planning criteria.

Decision Standard

The FAA applies a defined decision standard established by federal regulation and associated FAA Orders and Advisory Circulars. The outcome of an aeronautical study is whether the proposed structure would constitute a hazard to air navigation. If the structure does not result in an adverse effect on the safe and efficient use of navigable airspace, the FAA issues a Determination of No Hazard.

Airport authorities are not applying Part 77 Obstruction Criteria. Instead, they determine whether a structure could adversely affect airport activities, future planning, or local operating practices. Their conclusions may identify operational concerns, recommend procedural changes, or support comments submitted during the FAA aeronautical study process.

Regulatory Outcome

The FAA's determination establishes whether the proposed structure is acceptable under federal obstruction evaluation criteria. A Determination of No Hazard indicates that the structure is compatible with the safe and efficient use of navigable airspace as evaluated under applicable federal standards. It does not certify that the structure has no effect on airport operations or planning.

An airport authority's evaluation informs airport management decisions and may be submitted to the FAA as part of the aeronautical study process. It may identify airport-specific concerns or recommend modifications to reduce impacts. These evaluations do not supersede or replace the FAA's determination.