



U.S. Department
of Transportation
**Federal Aviation
Administration**

Airports Division
Southwest Region
Arkansas, Louisiana,
New Mexico, Oklahoma,
Texas

Fort Worth, Texas 76193-0600

SEP 27 2006

Mr. Richard M. Vacar, Director
Houston Airport System
P. O. Box 60106
Houston, TX 77205-0106

Dear Mr. Vacar:

In June 2006, Mr. Eric Potts and Mr. Kent McLemore gave us an excellent presentation about the Airport Master Plan Update for George Bush Intercontinental Airport (IAH). The focus of the presentation was the timing for initiating the environmental evaluation of additional airfield capacity enhancements, specifically two new runways. We are evaluating the information presented and expect to have a response to you soon. However, during the presentation, and during several internal meetings in our office, we discussed the encroachment of incompatible land use near the airport. We think this issue deserves immediate attention from both your office and ours.

The city of Houston has entered several grant agreements with the FAA over the years to fund development at IAH. These Federal grants total more than \$400 million. The grant agreements contain a number of grant assurances based in Federal statute. For example, Grant Assurance 21 – Compatible Land Use, found at 49 USC Paragraph 47107(a)(10), requires the city of Houston to take appropriate action, to the extent reasonable, to adopt zoning laws to restrict the use of land adjacent to or near the airport to activities and purposes compatible with normal airport operations.

Since IAH was built in the late 1960's, the encroachment of development near the airport has not been a major issue. However, with the opening of Runway 8L/26R noise complaints have become more frequent. Complaints alone do not mean there is incompatible development near the airport. However, continued growth and development near the airport with future increase in aircraft operations present the real potential for incompatible land uses adjacent to the airport. We appreciate your efforts to acquire land adjacent to the airport to implement the required noise mitigation set forth in the Environmental Impact Statement and Record of Decision for construction of Runway 8L/26R and upgrading of Runway 15R/33L. This land acquisition will assist in controlling land use near the airport.

In addition, since the Houston Airport System is considering additional capacity enhancements at IAH to accommodate growing aviation demand, it is critical that you have the necessary land use control measures in place to protect the investment in new airport facilities. Should the Houston Airport System seek Federal financial assistance from the

FAA to assist with the development of new runways at IAH, we must ensure that any investment is protected and can fully serve the purpose for which it was intended.


Since 1962, the FAA has promoted adherence to statutory mandates to prevent the encroachment of residential development near airports. FAA has spent approximately \$1.8 billion to mitigate land use incompatibility. A substantial part of this money was used to buy land, houses, and relocate residents from neighborhoods developed next to airports. The introduction of new residential development undermines the federal investment made in airports because residents often seek relief by restricting airport operations and/or reducing the utility of the federal investment. Either way, the price to mitigate incompatible development is high. This is why it is so important to address the problem with land use control before incompatible development occurs.

We understand the city of Houston has not enacted comprehensive, citywide zoning as a means of controlling land use in the past. Nevertheless, the city of Houston has committed to the FAA through the execution of grant agreements that appropriate actions have been taken to restrict the use of land adjacent to or near the airport. Therefore, we encourage the city of Houston to take the necessary actions to ensure that measures are in place to protect the airport and any future Federal investment to meet the air travel needs of the citizens and businesses in the Houston metropolitan area.

We also request the city of Houston outline specific land use control measures that it proposes to implement to protect the Federal investment in new airport facilities. When we receive this information, we will be in position to complete our evaluation of your request to initiate the environmental evaluation of capacity improvements at IAH.

If you have any questions or if our office can be of further assistance to you, please do not hesitate to call Mike Nicely or myself at 817-222-5600.

Sincerely,


Kelvin L. Solco
Manger, Airports Division