

FINAL AGENCY DECISION

JACKSONVILLE AVIATION AUTHORITY JACKSONVILLE, FLORIDA

Application number 11-10-C-00-JAX to impose a passenger facility charge (PFC) at the Jacksonville International Airport (JAX) for use at JAX.

In accordance with §158.29 of the Federal Aviation Regulations (Title 14, Code of Federal Regulations, Part 158), this Final Agency Decision includes all appropriate determinations to approve or disapprove, in whole or in part, imposition of a PFC at JAX and use of PFC revenue on twelve projects at JAX.

Procedural History (Dates)

Air carrier consultation meeting: June 2, 2010.

Public notice posted: June 2, 2010.

Federal Aviation Administration (FAA) application receipt: November 24, 2010.

FAA finding that application is not substantially complete: December 15, 2010.

FAA supplement receipt: February 28, 2011.

PFC Level, Amount, and Charge Effective Date

Level of PFC:	\$4.50
Total approved net PFC revenue in this decision:	\$11,352,575
Earliest charge effective date:	October 1, 2023

October 1, 2023, is the "earliest" charge effective date and is based upon the estimated charge expiration date for the previously approved collections in application 06-09-C-00-JAX, as amended. If the JAA changes the charge expiration date for the previous application, the charge effective date for this application will also change, so that the JAA can continue to collect the authorized amount of PFC revenue without a cessation in collections.

Section 158.43(c) contains information regarding notification to air carriers and foreign air carriers of the charge effective date and changes to the charge expiration date. In establishing its charge effective date, the public agency must comply with §158.43(b)(3), which states, in part, that the charge effective date will be the first day of a month which is at least 30 days from the date the public agency notifies the carriers of approval to impose the PFC.

Duration of Authority

The JAA is authorized to impose a PFC at JAX until the date on which the total net PFC revenue collected plus interest thereon equals the allowable cost of the approved projects or the charge expiration date is reached, whichever comes

first. Based on information submitted by the JAA, the FAA estimates the charge expiration date for this decision to be July 1, 2024. Should the amount of PFC revenue collected for this application ever exceed the allowable costs for all approved projects in this application, the public agency's authority to impose a PFC for this application ceases. If the public agency's authority to impose a PFC ceases, the public agency must, without delay, submit a plan acceptable to the FAA to insure that it complies with applicable law, subject to loss of Airport Improvement Program (AIP) grant funds (Section 158.39(d)).

Cumulative PFC Authority Including Current Decision

DECISION SUMMARY TABLE

<u>Application Number</u>	<u>Approved for Collection</u>	<u>Approved for Use</u>
93-01-C-00-JAX	\$12,258,255	\$5,245,954
93-01-C-01-JAX	51,174	0
93-01-C-02-JAX	(767,480)	(1,974,299)
96-02-C-00-JAX	18,135,750	9,332,225
96-02-C-01-JAX	(377,500)	0
96-02-C-02-JAX	744,842	1,289,207
96-02-C-03-JAX	539,117	580,513
96-02-C-04-JAX	1,171,630	0
96-02-C-05-JAX	(569,996)	0
97-03-U-00-JAX	0	10,567,500
97-03-U-01-JAX	0	(41,396)
97-03-U-02-JAX	0	1,171,630
99-04-C-00-JAX	5,010,000	5,010,000
99-04-C-01-JAX	130,741	130,741
99-04-C-02-JAX	(797,880)	(797,880)
00-05-C-00-JAX	13,081,065	5,839,815
00-05-C-01-JAX	(9,266,135)	(2,024,885)
01-06-U-00-JAX	0	5,584,454
01-06-U-01-JAX	0	(569,996)
01-07-C-00-JAX	28,181,513	28,181,513
01-07-C-01-JAX	(28,181,513)	(28,181,513)
03-08-C-00-JAX	68,357,263	68,357,263
03-08-C-01-JAX	4,924,263	4,924,263
03-08-C-02-JAX	(8,059,985)	(8,059,985)
06-09-C-00-JAX	267,389,352	267,389,352

06-09-C-01-JAX	(35,583,268)	(35,583,268)
11-10-C-00-JAX	11,352,575	11,352,575
Totals	\$347,723,783	\$347,723,783

Project Approval Determinations

For each project approved in this Final Agency Decision and for the application as a whole, the FAA, based on its expertise with the PFC program and air port development, exercises its judgment, and finds that the application and record thereof, contained substantial evidence to support the following determinations:

- The amount and duration of the PFC will not result in revenue that exceeds the amount necessary to finance the specific projects.
- Each project approved at a \$3 or lower level meets at least one of the objectives set forth in §158.15(a); is eligible in accordance with §158.15(b) (as set forth in the individual project determinations); and is adequately justified in accordance with §158.15(c) and paragraph 4-8 of FAA Order 5500.1, Passenger Facility Charge (August 9, 2001).
- Each project approved at a PFC level above \$3.00 will make a significant contribution in accordance with §158.17(b) (as set forth in the individual project determinations); meets at least one of the objectives set forth in §158.15(a); is eligible in accordance with §158.15(b) (as set forth in the individual project determinations); and is adequately justified in accordance with §158.15(c) and paragraph 4-8 of FAA Order 5500.1, Passenger Facility Charge (August 9, 2001).
- Each project approved for collection at a PFC level above \$3, meets the requirements of §158.17(a)(2). In all cases, the FAA has determined either that:
 - the project does not qualify for additional AIP funds (e.g., the proposed PFC funding is intended to be the local matching share to an AIP grant), or
 - AIP funds are not expected to be available to fund the project in whole or in part.
- For those surface transportation or terminal projects approved for collection at a PFC level above \$3, the requirements of §158.17(a)(3) and paragraph 10-8 of FAA Order 5500.1, Passenger Facility Charge (August 9, 2001), have been met. For each such project approved in this Final Agency Decision, the FAA has determined that the public agency has made adequate provisions for financing the airside needs at the airport including runways, taxiways, aprons, and aircraft gates.

- The collection process, including a request by the public agency not to require a class or classes of carrier to collect PFC, is reasonable, not arbitrary, nondiscriminatory, and otherwise in compliance with the law.
- The public agency has not been found to be in violation of §9304(e) or §9307 of the Airport Noise and Capacity Act (ANCA) of 1990 (since codified at 49 U.S.C. 47524 and 47526).
- All project-related requirements pertaining to the airport layout plan and airspace studies have been met. Environmental requirements (§158.29(b)(1)(iv)) are discussed under a separate heading below.
- This Final Agency Decision includes approval of impose authority for a project that the public agency proposes to finance in part with discretionary AIP grants. This authority is being approved based on assurances contained in the public agency's application indicating that it will have other financial resources available to fund the project if AIP discretionary funds are not available or are less than anticipated. The FAA's approval of this project does not constitute a Federal commitment of AIP discretionary funds.

Projects Approved for Authority to Impose and Use the PFC at JAX at a \$4.50 Level

<u>Description:</u>	<u>Approved Amount</u>
2. Design Concourse B Apron	\$276,668

This project consists of the design of the Concourse B apron, including the engineering and preparation of construction documents for the apron and related work. The apron will consist of 117,004 square yards of pavement and will provide parking area for aircraft using future Concourse B. Concourse B will have six new gates to accommodate B-757-200 aircraft, and will be designed with the flexibility to allow the terminal to be expanded by up to 20 additional gates by constructing additional finger concourses at the ends of Concourse B. JAX currently has 20 gates, and with the addition of the six new gates at Concourse B, will be able to accommodate 8 million passengers (4 million enplaned passengers), which is forecasted to occur by 2015.

Determinations:

Approved for collection and use.

Significant contribution: This project is an enabling project for the future construction of Concourse B. Concourse B will add additional gate capacity to the terminal, which will prevent the terminal from getting congested as traffic increases as forecasted, and will provide space for new entrant carriers or the

expansion of service by existing carriers. Thus, this project meets the significant contribution requirements of reducing anticipated congestion and increasing competition among air carriers.

PFC objective: This project is an enabling project for the future construction of Concourse B. Concourse B will add additional gate capacity to the terminal to accommodate the 4 million annual enplaned passengers forecasted by 2015. In addition, the new gates will provide space for new entrant carriers or for expansion of service by existing carriers. Thus, this project meets the PFC objectives of enhancing the capacity of the national air transportation system and furnishing opportunities for enhanced competition between or among air carriers.

Basis for eligibility: paragraph 526 of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$1,206,672.

Proposed sources of financing: PFC revenue (\$276,668 – the amount requested by the JAA), existing AIP grant #3-12-0035-046-2009 (\$905,004) and a state grant (\$25,000).

3. Construct Concourse B Apron (Phase I) - Bypass Taxiways \$2,000,000

This project consists of constructing the initial phase of the Concourse B apron project, which includes only the By-Pass Taxiways. The By-Pass Taxiways will measure 75-feet in width and will extend from the southeast perimeter of the air carrier apron to Taxiway P, from Taxiway P to Taxiway J, and from Taxiway J to the northeast perimeter of the air carrier apron (approximately 1,100-feet total). The taxiways will be constructed of 16-inch thick portland cement concrete. The construction will include drainage, pavement underdrain, earthwork, sodding, pavement markings, electrical and communications duct bank service/relocations and taxiway edge lighting.

This project is the initial phase of an apron that will provide parking area for aircraft using future Concourse B. Concourse B will have six new gates to accommodate B-757-200 aircraft, and will be designed with the flexibility to allow the terminal to be expanded by up to 20 additional gates by constructing additional finger concourses at the ends of Concourse B. JAX currently has 20 gates, and with the addition of the six new gates at Concourse B, will be able to accommodate 8 million passengers (4 million enplaned passengers), which is forecasted to occur by 2015. The By-Pass Taxiways will serve as apron edge taxiways, facilitating the movement of aircraft to and from the terminal facilities. Currently, the distance between the ends of Concourses A and C and edge of pavement does not allow for the simultaneous push-back of an aircraft from a gate located at the end of the concourse and the passing of a taxiing aircraft,

which results in congestion and the potential for aircraft collisions. The By-Pass Taxiways will provide a means of accessing the air carrier apron without traversing the perimeter of the apron while aircraft are pushing off of active gates.

Determinations:

Approved for collection and use.

Significant contribution: This project is an enabling project for the future construction of Concourse B. Concourse B will add additional gate capacity to the terminal, which will prevent the terminal from getting congested as traffic increases as forecasted, and will provide space for new entrant carriers or the expansion of service by existing carriers. In addition, this project will relieve congestion caused by the inability of aircraft to taxi past the gates at the end of Concourses A and C when an aircraft is pushing back from these gates. Thus, this project meets the significant contribution requirements of reducing current and anticipated congestion and increasing competition among air carriers.

PFC objective: This project is an enabling project for the future construction of Concourse B. Concourse B will add additional gate capacity to the terminal to accommodate the 4 million annual enplaned passengers forecasted by 2015. In addition, the new gates will provide space for new entrant carriers or for expansion of service by existing carriers. Furthermore, this project will allow aircraft to safely taxi past aircraft pushing back from the gates at the end of Concourses A and C. Thus, this project meets the PFC objectives of enhancing the safety and capacity of the national air transportation system and furnishing opportunities for enhanced competition between or among air carriers.

Basis for eligibility: paragraphs 525 and 526 of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$8,000,000.

Proposed sources of financing: PFC revenue (\$2,000,000 – the amount requested by the JAA), a proposed AIP grant of discretionary funds (\$5,094,996) and other funds (\$905,004).

**4. Design & Construct Runway 13/31, 7/24 \$316,674
and Air Cargo Apron Joint Seal Rehab**

This project consists of the design and construction of pavement repairs and rehabilitation of 251,820 linear feet of joint resealing on Runways 13/31 and 7/25 and associated taxiway connectors, and 15,002 linear feet of joint rehab on Air Cargo Apron number 3. The project includes partial or full-depth reconstruction and/or repair of damaged concrete slabs on the runway, taxiway and apron pavements. The joints on runway 13/31 and the air cargo apron were last sealed

in 1998 and the joints on runway 7/25 were last sealed in 1994. All of the joints have failed prematurely and the pavement is deteriorating. The failing joints and pavement are causing foreign object debris (FOD) problems on the runways, taxiways, and air cargo apron, resulting in an impact to aircraft safety.

Determinations:

Approved for collection and use.

Significant contribution: This project will restore the useful life of the runway, taxiway and air cargo apron pavement and reduce the FOD problems. FOD can be ingested into aircraft engines, potentially causing damage to aircraft and endangering passengers and cargo. Thus, this project meets the significant contribution requirement of improving air safety.

PFC objective: This project will reduce FOD on the runways, taxiways and air cargo apron that can be ingested into aircraft engines, potentially causing damage to aircraft and endangering passengers and cargo. Thus, this project meets the PFC objective of preserving and enhancing the safety of the national air transportation system.

Basis for eligibility: paragraph 520.a of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$1,266,695.

Proposed sources of financing: PFC revenue (\$316,674 – the amount requested by the JAA) and existing AIP grants #3-12-0035-045-2009 (\$56,652) and #3-12-0035-046-2009 (\$893,369).

5. Airfield Lighting Upgrades

\$1,099,734

This project consists of five-phases that focus on a rehabilitation of the lighting facilities necessary to accommodate nighttime aircraft operations at the airport. Phases I and II consist of replacing circuits A, B, and S. Phase III includes a replacement of the stake-mounted taxiway edge lights and direct-buried circuits on Taxiway H (circuit E) and Taxiway J (circuit G) with a new LED fixture, base can and conduit system. Phase IV includes a review of the previously performed evaluation of the field conditions, including the airfield circuitry, and will continue the work needed to replace outdated stake-mounted fixtures and direct-buried cables on Taxiways N, L, K, P, R, B and H with a new LED fixture, base can and conduit system. Phase V will complete all airfield lighting upgrades. Most of the fixtures associated with the project are more than 20 years old and have outlived their useful life. The Meggar readings are low and the system has experienced failures and outages.

Determinations:

Approved for collection and use.

Significant contribution: This project will restore the useful life of the airfield lighting facilities necessary to safely conduct nighttime and low-visibility aircraft operations at the airport. Lighting system failures and outages while nighttime or low-visibility operations are being conducted can endanger aircraft and passengers. Thus, this project meets the significant contribution requirement of increasing air safety.

PFC objective: This project will restore the useful life of the airfield lighting facilities necessary to safely conduct nighttime and low-visibility aircraft operations at the airport. Lighting system failures and outages while nighttime or low-visibility operations are being conducted can endanger aircraft and passengers. In addition, restoring the useful life of the airfield lighting system will allow the airport to continue to accommodate nighttime and low-visibility operations. Thus, this project meets the PFC objectives of preserving the safety and capacity of the national air transportation system.

Basis for eligibility: paragraphs 533, 534 and 535 of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$4,353,953.

Proposed sources of financing: PFC revenue (\$1,099,734 – the amount requested by the JAA), existing AIP grants #3-12-0035-045-2009 (\$374,816) and grant #3-12-0035-048-2010 (\$1,578,665), and a proposed AIP grant of entitlement funds (\$1,000,000) and discretionary funds (\$300,738).

6. ARFF Vehicle Replacement**\$900,000**

This project consists of the purchase of a 3,000-gallon Airport Rescue and Fire Fighting (ARFF) Vehicle in order to provide emergency services and associated rescue equipment to the airport in the event of an accident or incident. This vehicle will replace a 1997 Oshkosh T-3000 (Snozzle), 6x6 chassis, 3,000-gallon water and 420-gallon AFFF vehicle that has reached the end of its useful service life.

Determinations:

Approved for collection and use.

Significant contribution: This project will allow the airport to maintain its required ARFF equipment to meet FAR Part 139 requirements. Thus, this project meets the significant contribution requirement of improving air safety.

PFC objective: This project will replace an ARFF vehicle that has reached the end of its useful life, thus allowing the airport to maintain its required amount of ARFF equipment in accordance with FAR Part 139. Thus, this project meets the PFC objective of preserving the safety of the national air transportation system.

Basis for eligibility: paragraph 541.a of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$900,000.

Proposed sources of financing: PFC revenue (\$900,000 – the amount requested by the JAA).

7. Electrical Substation & Distribution System \$4,677,205 **Rehab**

This project includes the design and construction of a new free-standing 5 KY NEMA 3R, metal-clad switchgear at Barnstormer Road near the terminal building in the area of manhole MH-12. A new airside express feeder will be provided to feed the existing airside switchgear. The remaining 5 KY feeders will remain connected to the existing substation switchgear and will be included in additional phases of the project. These feeders will be switched over to the new switchgear as they are upgraded in the next three years. The existing electrical substation at Barnstormer Road was constructed in 1968 and upgraded in 1976. It provides electrical power to the FAA control tower, airfield electrical system, the terminal, the general aviation area, and all support areas. As the airport continues to grow and develop its landside and airside facilities, the existing electrical infrastructure is being stressed to meet the increasing demand and has outlived its useful life. Portions of the system are overloaded and are failing.

Determinations:

Approved for collection and use.

Significant contribution: This project will maintain electrical power to critical airport safety and security systems. Thus, this project meets the significant contribution requirement of improving air safety and security.

PFC objective: This project will maintain electrical power to critical airport safety and security systems. In addition, upgrading and increasing the capacity of the electrical distribution system will provide needed power as the airport continues to grow and develop to meet demand. Thus, this project meets the PFC objectives of preserving the capacity, safety and security, and enhancing the capacity of the national air transportation system.

Basis for eligibility: paragraph 515 of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$7,927,466.

Proposed sources of financing: PFC revenue (\$4,677,205 – the amount requested by the JAA) and local funds (\$3,250,261).

8. Rehab Internal Circulation Road (ARFF Access) \$175,000

This project includes designing and constructing a permanent, paved road to replace the temporary aggregate road between Barnstormer Road and the ARFF Facility. Because of the aggregate composition of the road and the tracking of the material by vehicles accessing the ARFF Facility, Foreign Object Debris (FOD) is becoming an issue on the air carrier apron. The new road will be composed of asphalt and measure 25 feet in width and about 300 feet long. This project will also require the relocation of security fencing and associated gates, and permitting through the St. Johns River Water Management District. The ARFF Access Improvement Project will reduce the amount of auto traffic operating within the Aircraft Operating Area and decrease the amount of FOD in the area.

Determinations:

Approved for collection and use.

Significant contribution: This project will eliminate a FOD issue on the air carrier apron. FOD can damage aircraft engines, causing them to fail, potentially endangering passengers. Thus, this project meets the significant contribution requirement of improving air safety.

PFC objective: This project will eliminate a FOD issue on the air carrier apron. FOD can damage aircraft engines, causing them to fail, potentially endangering passengers. Thus, this project meets the PFC objective of enhancing the safety of the national air transportation system.

Basis for eligibility: paragraph 620.c of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$700,000.

Proposed sources of financing: PFC revenue (\$175,000 – the amount requested by the JAA) and a proposed grant of AIP entitlement funds (\$525,000).

10. Rehab Taxiway T & H

\$589,094

This project includes concrete slab replacement on Taxiways T and H. Taxiway T was constructed in 1968 and has never undergone rehabilitation. It serves as

a connector between Taxiway N and Runway 13/31. Because of the level of deterioration, it will be necessary to replace all of the concrete slabs associated with the Taxiway. As part of the rehabilitation, the width of Taxiway T will be reduced from 150 feet to 75 feet. The existing slabs measure 13 inches in thickness and the replacement slabs will measure 16 inches in thickness. Taxiway H was last rehabilitated in 1983. It measures 75 feet in width and serves as a connector taxiway linking the air carrier apron and Taxiway A. The existing slabs measure 16 inches in thickness. Rehabilitating Taxiway H will include isolated slab removal and replacement with slabs measuring 16 inches in thickness. This project will improve the surface of these taxiways to eliminate FOD caused by the deterioration of the pavement. The FOD can cause aircraft power plant damage. As a result, some aircraft pilots are requesting to use a different taxiway.

Determinations:

Approved for collection and use.

Significant contribution: This project will restore the surface integrity of the taxiway pavements, thus reducing FOD which can damage aircraft engines, potentially endangering passengers. Thus, this project meets the significant contribution requirement of improving air safety.

PFC objective: This project will restore the surface integrity of the taxiway pavements, thus reducing FOD which can damage aircraft engines, potentially endangering passengers. It will also prevent the airport from having to eventually close the taxiways due to their deterioration, which could cause congestion on other taxiways. Thus, this project meets the PFC objectives of preserving and enhancing the safety, and preserving the capacity of the national air transportation system.

Basis for eligibility: paragraph 525 of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$2,356,375.

Proposed sources of financing: PFC revenue (\$589,094 – the amount requested by the JAA) and a proposed grant of AIP entitlement (\$525,000) and discretionary (\$1,242,281) funds.

Projects Approved for Authority to Impose and Use the PFC at JAX at a \$3.00 Level

<u>Description:</u>	<u>Approved Amount</u>
1. Schematic Design of Concourse B	\$853,200

This project consists of the schematic design of Concourse B. The schematic design includes architectural, structural, mechanical and electrical design of the new Concourse B so apron grading, geometry and elevations can be established. The Concourse B apron must be designed and constructed before the concourse itself can be designed and constructed. The JAA had anticipated replacing Concourse B after the completion of the Concourse A and C project, but because of the economic downturn in 2008-2009, JAA has delayed the construction of concourse B until at least 2014. Concourse B will have six new gates to accommodate B-757-200 aircraft, and will be designed with the flexibility to allow the terminal to be expanded by up to 20 additional gates by constructing additional finger concourses at the ends of Concourse B. JAX currently has 20 gates, and with the addition of the six new gates at Concourse B, will be able to accommodate 8 million passengers (4 million enplaned passengers), which is forecasted to occur by 2015.

Determinations:

Approved for collection and use.

PFC objective: This project will result in the addition of six new gates to the terminal at JAX, allowing the airport to accommodate up to 8 million annual passengers (4 million annual enplaned passengers). Thus, this project meets the PFC objective of enhancing the capacity of the national air transportation system.

Basis for eligibility: paragraph 601 of FAA Order 5100.38C, AIP Handbook, (June 28, 2005) and/or PFC eligible in accordance with §158.15(b)(6), "gates and related areas".

Estimated total project cost: \$900,000.

Proposed sources of financing: PFC revenue (\$853,200 – the amount requested by the JAA) and local funds (\$46,800).

The JAA requested that this project be approved for collection at a \$4.50 level. However, the material submitted in support of this project did not demonstrate that the project makes a significant contribution to increasing safety or security, reducing current or anticipated congestion, or increasing competition among air carriers at JAX. Specifically, this project involves schematic design that does not, in and of itself, produce quantitative or qualitative benefits to the traveling public. Therefore, the FAA is approving this project at a \$3.00 PFC level.

9. Rehab Baggage Information Display Screens \$165,000

This project includes the purchase and installation of eight new Baggage Information Display Screens (BIDS) and replacing the existing Cat II Cable with Cat V cable. The project will also include the upgrade of computer software and server units which currently serve the BIDS. The existing screens were put in place in 1991 and are obsolete, difficult to find parts to maintain, and subject to periodic failures. Rehabilitating the existing BID screens will provide a reliable means of communicating data to the traveling public and better serve the passengers at the airport by alleviating congestion in the baggage claim area.

Determinations:

Approved for collection and use.

PFC objective: This project will provide a reliable means of communicating baggage claim information to passengers, minimizing downtime of the system due to periodic failures. Thus, this project meets the PFC objective of preserving the capacity of the national air transportation system.

Basis for eligibility: paragraph 601 of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$165,000.

Proposed sources of financing: PFC revenue (\$165,000 – the amount requested by the JAA).

The JAA requested that this project be approved for collection at a \$4.50 level. However, the material submitted in support of this project did not demonstrate that the project makes a significant contribution to increasing safety or security, reducing current or anticipated congestion, or increasing competition among air carriers at JAX. Therefore, the FAA is approving this project at a \$3.00 PFC level.

11. Rehab Internal Circulation Road (Tug Road Improvements) \$250,000

This project includes milling an asphalt section of Tug Road, measuring about 1,731 feet in length and 20 feet in width, positioned between the air carrier apron and Taxiway G, and replacing it with concrete measuring 25 feet in width and 12 inches in thickness. The project will encompass an area measuring 43,275 square feet. Tug Road was constructed with asphalt in 1992 and serves as the primary avenue used by equipment and personnel to access the terminal environment to conduct fueling operations. It has never been rehabilitated;

therefore, the pavement has outlived its useful life. The widening of the road will make it safer for fuel trucks going in opposite directions to pass each other.

Determinations:

Approved for collection and use.

PFC objective: This project will restore the useful life of the roadway pavement, thus maintaining efficient access for fuel trucks to the air carrier apron. The widening of the road will also make it safer for fuel trucks going in opposite directions to pass each other on the road. Thus, this project meets the PFC objectives of preserving the capacity and enhancing the safety of the national air transportation system.

Basis for eligibility: paragraph 620.c of FAA Order 5100.38C, AIP Handbook, (June 28, 2005).

Estimated total project cost: \$1,000,000.

Proposed sources of financing: PFC revenue (\$250,000 – the amount requested by the JAA) and a proposed grant of AIP entitlement funds (\$750,000).

The JAA requested that this project be approved for collection at a \$4.50 level. However, the material submitted in support of this project did not demonstrate that the project makes a significant contribution to increasing air safety or security, reducing current or anticipated congestion, or increasing competition among air carriers at JAX. Therefore, the FAA is approving this project at a \$3.00 PFC level.

12. PFC Implementation & Administrative Costs \$50,000

This project includes professional fees for services rendered from consultants in developing, implementing, and coordinating the PFC Program at the airport.

Determinations:

Approved for collection and use.

PFC objective: This project will result in projects that maintain and/or increase the safety, security and capacity of JAX, and provide opportunities for greater competition between air carriers at the airport. Thus, this project meets the PFC objectives of preserving and enhancing the safety, security and capacity of the national air transportation system and furnishing opportunities for enhanced competition between or among air carriers at the airport.

Basis for eligibility: PFC eligible in accordance with §158.3, “allowable costs”.

Estimated total project cost: \$50,000.

Proposed sources of financing: PFC revenue (\$50,000 – the amount requested by the JAA).

Calculation of PFC Level

The FAA determined that three of the eleven projects in the application for which the JAA requested a higher PFC level did not meet the requirements of §158.17(b). In addition, the JAA did not request a higher PFC level for one project included in this FAD.

To ease the burden of administering the PFC program, paragraph 10-18 of FAA Order 5500.1, Passenger Facility Charge, permits the FAA to authorize the premium collection on the combined application projects when a sufficient value of projects in the application can be shown to satisfy the higher standards associated with the higher PFC charge. In the case of this application for projects at JAX, the FAA has determined that 88.4 percent of the total PFC value of the approved projects is collectible at \$4.50 and, thus, is authorizing the \$4.50 collection level for the entire application in accordance with the procedures discussed in paragraph 10-18 of FAA Order 5500.1, Passenger Facility Charge, (August 9, 2001).

Environmental Requirements

The projects approved in this application for concurrent authority to impose and use the PFC were examined under the guidelines contained in FAA Order 5050.4, National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects (April 28, 2006), and these projects have been determined to be categorically excluded from the requirement for formal environmental review. There appear to be no extraordinary circumstances requiring further review.

Request Not to Require a Class or Classes of Carriers to Collect PFC's.

The JAA requests that the following class of air carriers be excluded from the requirement to collect PFC's: air taxi/commercial operators (ATCO).

Determination: Approved. Based on information contained in the JAA's application, the FAA has determined that the proposed class accounts for less than 1 percent of JAX's total annual enplanements. The JAA should confirm, on an annual basis using prior year enplanement data, that the approved class does not exceed 1 percent of the total enplanements at JAX.

Compliance with the Airport Noise and Capacity Act of 1990 (ANCA)

The FAA is not aware of any proposal at JAX which would be found to be in violation of the ANCA. The FAA herein provides notice to the JAA that a restriction on the operation of aircraft at JAX must comply with all applicable provisions of the ANCA and that failure to comply with the ANCA and Part 161 makes the JAA subject to provisions of Subpart F of that Part. Subpart F, "Failure to Comply With This Part," describes the procedures to terminate eligibility for AIP funds and authority to collect PFC revenues.

Compliance with Subsection 47107(b) Governing Use of Airport Revenue

As of the date of this approval the Jacksonville Aviation Authority has not been found to be in violation of 49 U.S.C. 47107(b) or in violation of grant assurances made under 49 U.S.C. 47107(b).

Legal Authority

This decision is made under the authority of 49 U.S.C. 46110 and 40117, as amended. This decision constitutes a final order to approve, in whole or in part, the Jacksonville Aviation Authority's application to impose a PFC and use PFC revenue on twelve projects at JAX. Any party to this proceeding having a substantial interest may appeal this decision to the courts of appeals for the United States or the United States Court of Appeals for the District of Columbia upon petition, filed within 60 days after issuance of this decision.

Concur	<u>Original Signed by Winsome A. Lenfert</u> Manager, Southern Region Airports Division	<u>April 26, 2011</u> Date
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Nonconcur	_____ Manager, Southern Region Airports Division	_____ Date
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