



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

Southwest Region
Airports Division, Texas Airports
Development Office

Fort Worth, Texas 76137

August 7, 2009

Mr. Eric Potts
Interim Director
City of Houston
Department of Aviation
16930 JFK
Houston TX 77032

Dear Mr. Potts:

The City of Houston has made excellent progress in protecting the public investment in its airports by implementing land use controls through its recently adopted Land Use Ordinance. Another necessary measure to protect airports is ensuring appropriate controls are in place to protect the airspace from hazardous objects. These objects may include buildings, antennas, power lines, smokestacks, and objects of natural growth that are tall enough to be hazards to air navigation. The FAA is pleased to learn that the city has begun work on a companion ordinance designed to revise, update and expand existing protections against such obstructions.

This action by the City is consistent with its assurance to the federal government that it will do everything possible to protect against air hazards. This assurance is in the form of an Airport Improvement Program Grant assurance which the city renews each time it accepts a grant. This assurance states:

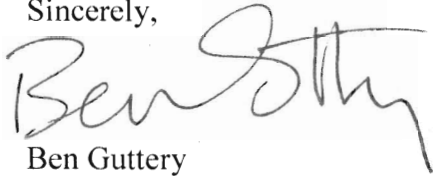
20. Hazard Removal and Mitigation. It [the grantee] will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

Hazards are just as important to airport operations as compatible land use and we appreciate your attention to controlling both. As the Houston Airport System considers additional capacity enhancements at IAH to accommodate growing aviation demand, it is critical that you have both land use and hazard control measures in place to protect the considerable federal, municipal, and private investments in the airports. 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.

The FAA and its predecessor agencies have all worked to mitigate and remove hazards to air navigation. Some of these are enormously expensive to remove, while they are rather easy to prevent. This letter serves to remind you of the importance for safety, and the federal requirement to protect the airspace around the Houston area from development that would be a hazard to air navigation and operations. We encourage you to continue 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 that you update us on your progress as you develop and implement these controls. If you have any questions or we can be of further assistance, please do not hesitate to call me or Mike Nicely at 817-222-5650.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Guttery". The signature is written in a cursive style with a large, sweeping "B" and "G".

Ben Guttery
Acting Manager, Texas Airports
Development Office