

Current FAA Perspective:

***Threatened & Endangered
Species***

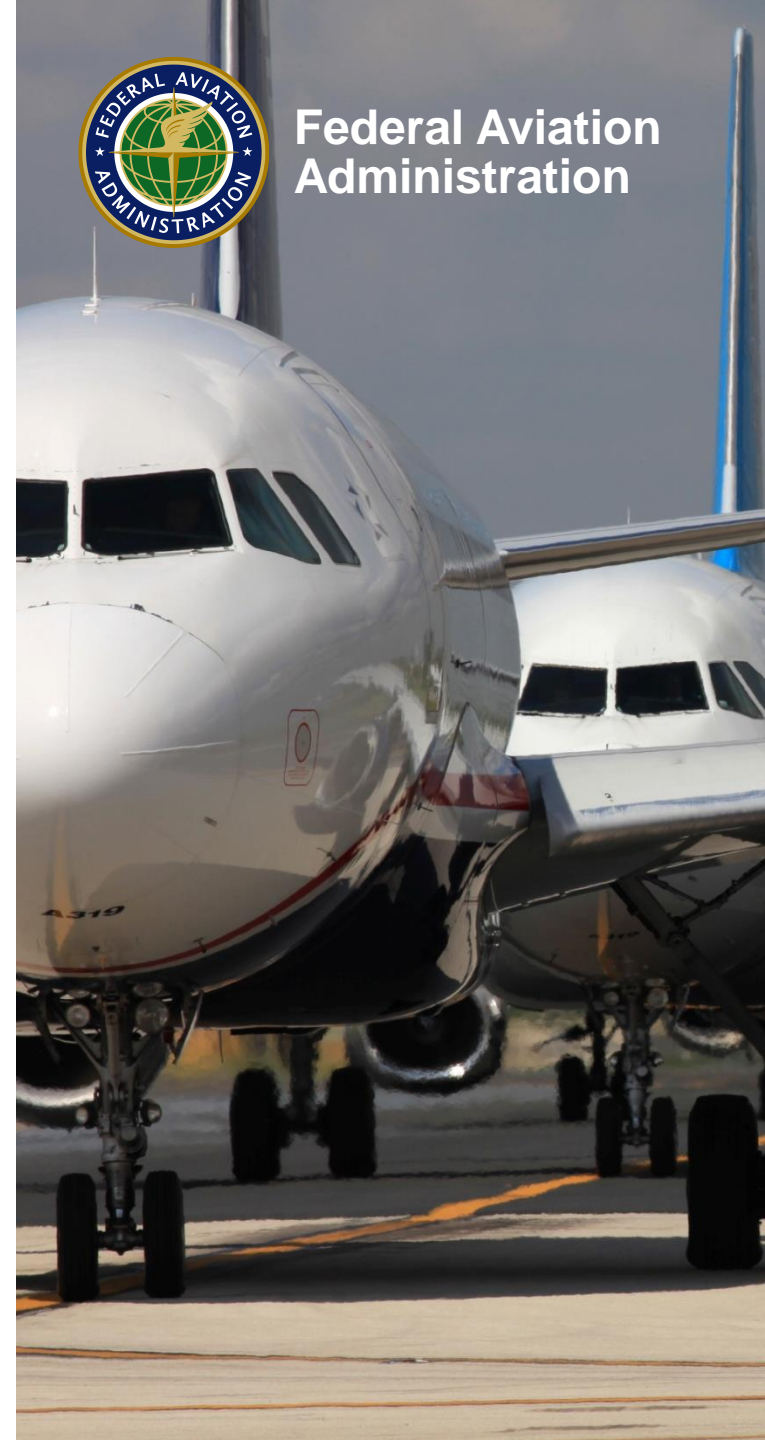
***Critical Habitat Designations
on Airports***

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***Bird Strike Committee USA Meeting
Chicago
August 11, 2016***



**Federal Aviation
Administration**



Not a new issue.....



Endangered Species Act

- **The ESA requires all Federal Agencies to support efforts to protect threatened and endangered species.**
- **The FAA must balance these requirements with our requirements and mission to maintain a safe and efficient airport system.**



Critical Habitat Designation

➤ Airport Safety Considerations

- **Compliance with Grant Assurances in order to receive Airport Improvement Program funds**
- **Habitat maintenance**

➤ Economic Considerations

- **Airports are required to be economically self-sustaining**



FAA / USFWS

- **ESA-Section 7 and Section 10 Consultation**
- **NEPA- Environmental Assessments / Environmental Impact Statements**
- **MUST HAVE A WORKING RELATIONSHIP WITH YOUR REGIONAL USFWS OFFICE**



Streaked Horned Lark

- **Diligent coordination conducted by PDX and FAA ANM office with USFWS**
- **Result: The service acknowledged the conflict between the agencies' missions and recognized in 78 FR 61506 that “birds are at risk of mortality by plane collisions” and that “airports are clearly not ideal for conservation and recovery efforts” for T & E species.**



The Easy Answer

- **There is no easy answer**
- **Case-by-case**
- **Depends on the species (direct hazard, indirect hazard, no hazard)**
- **Depends on location of proposed critical habitat**
- **FAA Policy Letters as tools**



FAA Policy

- **FAA “cannot agree to any process, procedure, or agreement that would lead to an increase in (SHL) populations or the enhancement or creation of (SHL) habitat within the boundaries of the airport property or adjacent to airport property where species could interfere with departure and air space. This FAA policy applies not only to activities conducted on airports that have a Federal nexus but also to any other activities conducted on an airport due to the potential conflict with their federal grant assurances”.**



Memorandum of Agreement

➤ **Original MOA signed in 2003 by signatory agencies:**

- **FAA**
- **USAF**
- **USARMY**
- **EPA**
- **FWS**
- **USDA**

Memorandum of Agreement Between
the Federal Aviation Administration,
the U.S. Air Force,
the U.S. Army,
the U.S. Environmental Protection Agency,
the U.S. Fish and Wildlife Service, and
the U.S. Department of Agriculture
to Address Aircraft-Wildlife Strikes

PURPOSE

The signatory agencies know the risks that aircraft-wildlife strikes pose to safe aviation.

This Memorandum of Agreement (MOA) acknowledges each signatory agency's respective missions. Through this MOA, the agencies establish procedures necessary to coordinate their missions to more effectively address existing and future environmental conditions contributing to aircraft-wildlife strikes throughout the United States. These efforts are intended to minimize wildlife risks to aviation and human safety, while protecting the Nation's valuable environmental resources.

BACKGROUND

Aircraft-wildlife strikes are the second leading causes of aviation-related fatalities. Globally, these strikes have killed over 400 people and destroyed more than 420 aircraft. While these extreme events are rare when compared to the millions of annual aircraft operations, the potential for catastrophic loss of human life resulting from one incident is substantial. The most recent accident demonstrating the grievous nature of these strikes occurred in September 1995, when a U.S. Air Force reconnaissance jet struck a flock of Canada geese during



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➤ **REVISED MOA to be signed in 2016 by signatory agencies:**

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- **USAF**
- **USARMY**
- **EPA**
- **USFWS**
- **USDA**
- **NASAO**
- **AFWA**

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the U.S. Department of Agriculture,
the Association of Fish & Wildlife Agencies and
the National Association of State Aviation Officials
to Address Aircraft-Wildlife Strikes

PURPOSE

Aircraft-wildlife strikes¹ pose risks to safe aviation, and federal agencies have a responsibility to consider such risks whenever they undertake certain habitat or species specific activities, designations or protections that have the potential to increase these risks. Additionally, state agencies involved with natural resource management or aviation are uniquely positioned to raise awareness and provide information transfer about aircraft-wildlife strikes. This Memorandum of Agreement (MOA) acknowledges each signatory agency's respective missions. Through this MOA, the agencies have established procedures necessary to coordinate their missions to more effectively address existing and future environmental conditions contributing to aircraft-wildlife strikes throughout the U.S. These efforts are intended to minimize wildlife risks to aviation and human safety, while protecting the Nation's valuable environmental resources.

AUTHORITY TO ENTER INTO THIS MOA

FAA – The Federal Aviation Administration is entering into this agreement under the authority of 49 U.S.C. 106(l) and (m), which authorizes agreements and other transactions on such terms and conditions as the Administrator deems necessary. Under 49 U.S.C. §§ 44701-44735, the Administrator has broad regulatory authority to "promote safe flight of civil aircraft in air commerce." This MOA will assist the FAA in



Questions?



“Darn it-why did they have to designate that as my critical habitat??”

