

Glenda Wiles

From: Joe.Nye@faa.gov
Sent: Friday, March 22, 2019 11:52 AM
Cc: Scott.Eaton@faa.gov; Steve.Engbrecht@faa.gov; william.garrison@faa.gov; Gary.Gates@faa.gov; nancy.kriston@faa.gov; Diane.Stilson@faa.gov; Roxanne.Trotta@faa.gov; mathew.wilder@faa.gov
Subject: Helena ADO Entitlement Transfer Process (Sponsor responsibility for reciprocal agreements)
Attachments: Transfer Memo.pdf

You are receiving this email as advance notice regarding the documentation associated with entitlement transfers which are being returned by the Helena ADO. As presented at the Montana Airports Managers Association meeting on October 30, 2019, Table 4-9c of the AIP Handbook affords the sponsor waiving funds and the sponsor receiving funds the option to make separate agreements concerning the transfer. However, the Handbook continues to make it clear that said agreement is between the two sponsors and that the FAA is not a party to the agreement, is not required to obtain the agreement, and is not responsible for enforcing the conditions of the agreement. Based on the AIP Handbook's guidance, the Helena ADO will not be holding or managing documents referring to future transfers (reciprocals).

Within the next week, locations that have provided signed reciprocal agreements as well as those shown as recipients will receive packages in the mail from the ADO. In this package, you will find the attached memo as well as the transfers on file with the ADO; the transfers will include reciprocals from your location as well as reciprocals indicating your location as a recipient. The transfer information will only be distributed to sponsors; consultants desiring copies will need to coordinate with the sponsors accordingly.

The Helena ADO will continue to process transfer requests during the fiscal year they are received. For this fiscal year, the Helena ADO would like all transfers by June 1, 2019.

I understand that this may be challenging at first; however, Montana is the only state where the ADO has been retaining and tracking this information. Due to limited workforce and desire for uniformity across the nation, the ADO is realigning our efforts with the process discussed in the AIP Handbook. Feel free to contact me at (406) 441-5409, Steve Engbrecht at (406) 441-5407, or Nancy Kriston at (406) 441-5410 if you have any questions.

Regards,
Joe Nye, PE
FAA Project Manager
Helena Airports District Office
(406) 441-5409



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Federal Aviation
Administration

Northwest Mountain Region
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Washington · Wyoming

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2725 Skyway Dr., Suite 2
Helena, MT 59602

Memorandum

To: MT Sponsors and Consultants
From: *JN* Joe Nye, Acting Helena Manager
Date: March 22, 2019
Re: Transmittal of transfer agreements on file at the Helena ADO

Per the presentation made at the Montana Airports Managers Association meeting on October 30, 2019, Table 4-9c of Order 5100.38D, Change 1, Airport Improvement Program Handbook places the responsibility for future transfers with airport sponsors.

Therefore, the Helena ADO will not be holding or managing documents referring to future transfer(s) (reciprocals) and will not collect and track entitlement pay backs. Sponsors are responsible for managing their entitlement transfers, including any future entitlement payback(s).

Attached you will find all transfer agreements in which your agency agreed to pay back a past entitlement transfer in the future. In no way should this be construed as a final accounting of all obligations owed to another sponsor as there may be instances in which the FAA did not receive a reciprocal agreement. Also, you may find that some have expired, some have had partial transfers made as payback (noted with documentation), etc.

For informational purposes, we have also included copies of the reciprocal agreements that we had on file for funds due back to your airport. Again, in no way should this be construed as a final accounting for all obligations owed to you by another sponsor or sponsors. The ADO will not act on these unless resubmitted during the fiscal year due by the transferring sponsor. The Helena ADO would like all FY 2019 transfers by June 1, 2019. Please coordinate with the sponsor that has signed the document to coordinate this effort.

The Helena ADO will continue to facilitate transfers to which we do not object, whether they be a new transfer or a payback from a previous loan, gift, etc., however the Helena ADO will not retain any documents related to paybacks to be made in the future.

Please contact me at (406) 441-5409, Steve Engebrecht at (406) 441-5407, or Nancy Kriston at (406) 441-5410 if you have any questions.