



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

Great Lakes Region  
2300 E. Devon Avenue  
Des Plaines, Illinois 60018

May 11, 2010

Mr. Bradley S. Livingston, AAE  
Airport Director  
Dane County Regional Airport  
4000 International Lane  
Madison, WI 53704

Dear Mr. Livingston:

This letter is in response to the conference call on May 7, 2010 between the Dane County Regional Airport (MSN) and the Safety Standards Branch of the FAA regarding compliance with Title 14 Code of Federal Regulations, Part 139 *Certification of Airports*. In addition to all other requirements, Part 139.337 (a) requires that “each certificate holder must take immediate action to alleviate wildlife hazards whenever they are detected.” Furthermore, the current approved Wildlife Hazard Management Plan (WHMP) requires MSN to alleviate or eliminate wildlife hazards to air carrier operations, manage any wildlife population, modify habitat or make land use changes, and initiate and maintain wildlife hazard control measures.

Advisory Circular (AC) 150/5200-33B, “*Hazardous Wildlife Attractants On or Near Airport*,” establishes a separation distance of 10,000 feet between the Air Operations Area (AOA) and hazardous wildlife attractants for airports serving turbine-powered aircraft and a distance of 5 miles from an airport, if the facility could cause hazardous wildlife movement into or across the approach or departure airspace. Section 2 of this AC identifies land use practices on or near airports that potentially attract hazardous wildlife, and 2-7 d allows for the identification of “other hazardous wildlife attractants,” perhaps unique to certain regions of the country. This section also states that “regardless of the source of the attraction, when hazardous wildlife is noted on a public-use airport, airport operators must take prompt, remedial action(s) to protect aviation safety.”

Moreover, Dane County is obligated under the Federal Grant Assurances to protect the landing and takeoff of aircraft. Grant Assurance 20, *Hazard Removal and Mitigation*, and Grant Assurance 21, *Compatible Land Use*, both apply when considering the proximity of a hazardous wildlife attractant and the MSN AOA. The county is required to protect the airspace surrounding the AOA.

I would also like to take this opportunity to highlight that aircraft-wildlife strikes are the second leading cause of aviation-related fatalities, 92% occurring at or below 3000 feet. 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 US Airways Flight 1549 bird strike accident in the Hudson River is a grim reminder to all of us of the dangers that wildlife poses to the traveling public.

Sincerely,

A handwritten signature in black ink, appearing to read "Ignacio Flores". The signature is written in a cursive style with a large, sweeping initial "I".

Ignacio Flores  
Manager, Safety and Standards