



AIRCRAFT OWNERS AND PILOTS ASSOCIATION

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Airport Closures at Privately Owned/Public-Use Airports

Background:

AOPA is often contacted for advice on how to help save privately owned, public-use airports from being closed or sold. Requests most often relate to closure (proposed or actual) of the airport resulting from the owner's desire to sell the airport property to a private developer. In some cases, the owner, who was passionate about general aviation, has passed away, and his/her heirs do not share that passion. When a privately owned airport is threatened with closure, it's all about money! The property is much more valuable with uses other than an airport. When a privately owned airport is threatened with closure, there are usually a number of factors involved. These factors may include a change in family ownership status, value of the asset (land values), property taxes, or land-use pressures from the surrounding community. *The airport property is someone's private property, and as such, they can pretty much do what they wish with their own personal property.*

The key thing to remember with any airport issue, no matter how the ownership is structured, is that "all politics are local." Local pilots, tenants, and airport businesses must take an active role in fighting to protect their interests. This is especially true and even more important when it comes to issues that arise at privately owned airports.

Of those airports lost to closure over the past 10 years, nearly all have been privately owned airports. There are several reasons why any effort to save a privately owned airport from closure or operational restrictions is much more difficult than dealing with issues at a publicly owned airport.

What Makes Privately Owned Airports Unique and Different?

First, consider the form of governance of the airport. *No single individual can close a publicly owned airport.* There are numerous opportunities for "public input," election of pro-airport officials, and positive media attention. Public assets, such as an airport, can often garner support from the local non-flying community surrounding the airport. *Privately owned airports are essentially "private property" and subject to the personal desires of the private property owner.* Permission to sell is not required from any public body.

Second, while not all publicly owned airports have accepted federal funds for airport development through the Federal Aviation Administration (FAA), a significant number have accepted federal funds, and thus are obligated through federal grant assurances. *Of the 3,388 public-use airports eligible for federal airport development assistance, only 111 of these airports are privately owned, public-use airports.* As noted earlier, along with the federal funding comes a contractual obligation (grant assurances) by the airport sponsor to the FAA. These federal assurances (obligations) are one of the most important and vital tools available to AOPA in our successful efforts to protect member interests at publicly owned airports.

Without these grant obligations, assisting members with issues that affect privately owned airports can be much more difficult or even impossible to mitigate or solve.

Without federal or even state laws to protect the airport, *AOPA's ability to influence the local issue is very limited. In almost every case when AOPA helped resolve a local airport issue, it was on an airport that received federal funding.* Because of these federal grants, national organizations like AOPA are better able to hold the elected officials' "feet to the fire" and work with the FAA to be sure grant obligations are enforced. Even with these grant assurances, local users and other interested parties must attend meetings, formulate a plan, and educate the community and its leaders as to the benefit of the airport. *AOPA has a number of resources available, both online and by mail, which provide assistance to our members, including videos and printed guides.*

What Can You Do?

Pilots at a number of privately owned, public-use airports have been successful in stopping the sale of their airport, curbing encroachment, and generally working with private airport owners to ensure their interests are represented. What follows are a few broad strategies you can follow to help ensure the vitality of your privately owned airport.

- **Form a pilot association.** This is a critical first step. It generates a unified voice from the users, allows them to formulate plans, and makes sure the tenants are heard.
- **Attend meetings.** More often than not, pilots learn about situations affecting their airport when it's too late. *If you hear about a deal to sell the airport a week before it's expected to close, it's too late.* Regularly attending city council meetings, planning and zoning meetings, and other local functions that could impact or involve the airport is essential to making sure the users are on top of the situation.
- **When offered for sale, look at a public or private buy-out of the airport.** Many privately owned airports close simply because the current airport owner is looking to get out of the airport business. There are a number of reasons why a private airport may come up for sale, but the reason isn't the important element. What is important is to determine how to keep the airport as an airport. For example, when Brandywine (Pennsylvania) Airport (N99) came up for sale, local pilots successfully saved the airport by selling shares in a company raising the necessary funding to buy the airport. This type of transaction would be based solely on private funding. Wings Field Airport (LOM) near Philadelphia, Pennsylvania, is another airport that was privately owned/public-use and sold to a private investor group. Another option to explore is to seek a public sponsor. Another example of this strategy is in Schaumburg, Illinois, where the township saw the privately owned, public-use airport, now Schaumburg Regional (06C), as a tremendous asset to the local community. The township purchased the airport from its private owner and has since made use of significant federal and state grants to improve and develop the airport. The same was true when the City of Bolingbrook, Illinois, purchased Clow International Airport (1C5) (don't be fooled by the "International" in the name—this is a small GA airport) from its private owner. Making sure the community and elected officials understand the value of the airport is the best way to ensure the public is interested in supporting such a venture.
- **Determine the economic impact of the airport to the surrounding community.** Money talks, and obtaining support from the local community may well depend on your ability to "sell the value" of the airport to folks who do not fly. Conduct an economic

impact study of the airport and publish the results. Enlist the assistance of the local Chamber of Commerce or Economic Redevelopment agency.

- **Public relations.** Explain what goes on at your airport. Conduct open houses; invite local school students to get “up close and personal” with aviation. Conduct job fairs, and work diligently to get the community involved in the airport.
- **Airports are “green space.”** Communities have grown up around the airport. In most cases, when the airport was first opened, vast expanses of undeveloped land surrounded the airport. There were no homes, no shopping centers, and few towns for miles. As the surrounding areas developed, the community grew up with the airport. In today’s environmentally sensitive world, many would prefer an airport as open space as opposed to a high-density residential development or smoke-belching industrial complex, or additional demands on highway/street infrastructure. Sell the airport as green space. Find like-minded individuals in the community to support the airport.
- **Accept an FAA or state grant.** Although typically not eligible for FAA grants, privately owned airports can now apply for special funds under a new FAA pilot program—Purchase of Development Rights (PDR). Under the program, the FAA provides money to the private airport owner in exchange for the development rights. What this means is that the private owner receives a lump sum of cash in exchange for the promise, contractually, that all the airport property will continue to be an airport. The owner cannot sell off parcels of airport property, property that could become residential units or a shopping center. It’s a great idea that may just save your airport, but the airport’s private owner must be willing to participate in this innovative FAA program. The PDR program requires that a local or state government agency actually “sponsor” the airport for participation in the program. The airport continues to be privately owned, but the public agency acts as the watchdog to ensure the private airport owner follows PDR guidelines.
- **Look to your state aviation office for assistance.** Even if the FAA isn’t willing or is unable to help, your state aviation office may have a way to provide assistance. Many states do have airport development funding grant programs for privately owned airports, and certain obligations that ensure the future of the airport go along with those funds. The state aviation office may also be willing to work with local authorities to convince local officials to enforce zoning laws and other airport-favorable measures. Most issues surrounding privately owned, public-use airports are a function of local and state laws. An attorney licensed to practice law in your state will be valuable to you when the issue at the airport involves either zoning requirements or leasing matters.

All Politics Are Local!

Regardless of how you decide to proceed, there are a few things to keep in mind when dealing with your local government, the citizens, and state and local aviation officials. The message must be clear and consistent. This is why forming a pilot association is so critical. Make sure the group comes to a consensus as to what it seeks, and go forward with a unified voice. It is surprising how many issues can be solved with some basic communication between the airport owner and the users. Also, make sure to back up any claims or arguments with as much factual and verifiable data as possible. AOPA can help with this. Your state aviation office is also a good source.

With the privilege of private airport ownership comes the responsibility to ensure its future. **Remember, private airports are someone’s private personal property**, and just as you are able to do what you please with your own private property, whether we like it or not, so too can the owner of a private airport.

These issues are challenging to say the least. The final outcome depends on your commitment to working hard and long to save the airport.

Though AOPA can offer advice and information, we are not equipped with the same level of advocacy tool that we have when a public-use airport is publicly owned. But with some organization and a clear set of goals, saving the airport is often within your reach. **With privately owned airport issues**, AOPA is here to support your efforts and provide reference and resource information. However, it is **local tenants, airport users, businesses, and other interested parties that must be the first line of defense.**

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| Facilitate your contact with state and federal officials. | Buy the airport. |
| Ask the property owner to reconsider. | Prevent the sale or closure. |
| Assist in informing other pilots in the area of the situation and seek their assistance on your behalf. | Fund the purchase of the airport. |
| Assist in organizing a local airport support group. | Provide legal resources or legal counsel. |
| Facilitate contact with local media outlets. | Participate in or testify at a lawsuit. |
| Provide statistical information in support of keeping the airport open. | Negotiate a sale price. |
| Provide lists of aviation-related consultants who may be of assistance to your effort. | Identify or find a buyer for the airport. |
| Encourage purchase by a local government sponsor <i>you</i> identify as willing to acquire the airport. | Force local government to buy the airport. |
| Provide recommendations to AOPA Legal Panel attorneys who may be helpful to your efforts. | Force the current owner to sell the airport to a willing, local government sponsor. |

AOPA resources to assist you with privately owned, public-use airport issues:

- [Establishing a Pilot Association](#)
- [Obtaining Community Support for Your Airport](#)
- [What Is General Aviation?](#)
- [Writing Letters to the Editor](#)
- [Writing to Government Officials](#)
- [Holding an Airport Open House](#)

General Aviation and the States—Reference Information

- [It's Your Airport](#)
- [Computing the Value of Your Airport](#)

List of State Aviation Agencies

FAA Resources:

- [Establishment of Airport Action Groups Advisory Circular](#)
- [Model Zoning Ordinance Advisory Circular](#)