



AIRCRAFT OWNERS AND PILOTS ASSOCIATION

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May 8, 2007

Bob Norton, Chief, Anchorage Office
Aviation Leasing
Department of Transportation and Public Facilities
P.O. Box 196900
Anchorage, Alaska 99519-6900

Re: Proposed revisions to leasing regulations 17 AAC 45 - RURAL AIRPORTS

Dear Mr. Norton:

The Aircraft Owners and Pilots Association (AOPA) is a membership association consisting of over 411,000 pilots and aircraft owners nationwide, 4,200 of who reside in the state of Alaska. AOPA supports the development of a well-balanced, viable system of airports as part of a national transportation system - especially in Alaska where rural communities depend on this system of airports in support of their existence. The 258 airports operated by the Department of Transportation and Public Facilities are a vital component of that system. The regulations promulgated by the state that control leasing on the state-owned airports have a significant impact on our members as well as the health and viability of the airports themselves.

We believe there is an immediate need to simplify regulations and reduce what may be viewed as regulatory interference with airport user activities. The complexity of the existing and proposed regulations tends to discourage rather than encourage development on these airports. Given that many of these airports are in communities with small populations, making their economic viability a significant challenge, it is our opinion that the department should seek and explore creative solutions to encourage rather than stifle prospective development.

AOPA believes that it is appropriate that the department recognize that one size does not fit all when it comes to insurance requirements. It appears that the proposed changes in Title 17 AAC 45.425 regarding insurance requirements recognize the need for flexibility in providing airport tenants and users with insurance choices that are tied directly to individual circumstances at the airport.

We are concerned with proposed changes to 17 AAC 45.055(a) regarding state-adopted fire codes. It is our understanding that the Department of Public Safety has jurisdiction over this area. Therefore, inclusion of this material is duplicative and unnecessary.

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Additionally, we are also concerned with proposed 17 AAC 45.060 Restricted areas and access; We notice the mention in this section, and in other areas, of provisions for establishing security programs for some or all of an airport. It is important that the department undertake the necessary steps to insure that general aviation users – especially transient operators – are provided airport access to acquire necessary airport services. At some airports, fuel may not be delivered outside the paved apron at the airport, forcing general aviation operators to taxi to secure areas for refueling. Security programs, if implemented, should be designed to ensure that aircraft operators have the ability to access fueling areas. We would hope that any security plans developed will accommodate transient as well as locally-based aircraft without undue restriction.

While we can understand that it is necessary and appropriate to generate airport revenue in order to support the state airport system, it is our opinion that rates and charges at airports must strike a balance between deriving income, and providing an incentive for businesses and individuals to invest in the airports. Title 17 AAC 45. 127 Rents and Fees appears to fall short of Federal Aviation Administration federal grant assurances that require treatment on a “fair and reasonable basis” and without unjust discrimination. It appears that the proposed changes would not be applied in a uniform manner. Specifically, rates for existing tenants may increase at a prescribed level (a maximum increase of 10%/year), while a new tenant may be expected to pay a significantly higher rate under the new regulations.

We understand that these changes have been years in the making. However, it seems like the perfect time to simplify and make these regulations user-friendlier, with the goal of encouraging and stimulating aviation activities for the benefit of the state as well as the communities they serve.

We appreciate your consideration of our comments and suggestions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill R. Dunn", with a long horizontal flourish extending to the right.

Bill R. Dunn
Vice President
Airports