



AIRPORT CLOSURES AT PRIVATELY OWNED/PUBLIC-USE AIRPORTS

BACKGROUND:

AOPA is often contacted for advice when a privately owned, public-use airports is in danger of being closed or sold. Of the airports closed over the past 15 years, nearly all have been privately owned. It's all about money. It could be that a private developer has made an airport owner an offer he or she can't refuse. Perhaps the owner of the airport was passionate about general aviation, but has passed away and his/her heirs do not share that passion. Frequently, the property a privately owned airport sits on is much more valuable for uses other than an airport. The issue could be property taxes, or land-use pressures from the surrounding community, but the bottom line is that the airport property is privately owned, and as such, they can pretty much do what they wish with it. That doesn't mean you are powerless.

It is a difficult task to prevent the closure or sale of a privately owned airport and there are several reasons for that.

No matter how the ownership is structured, "all politics are local." It is incumbent upon local pilots, tenants, and airport businesses to take an active role in fighting to protect their interests when faced with a closing airport. This is especially true and even more important with privately owned airports.

WHAT MAKES PRIVATELY OWNED AIRPORTS DIFFERENT FROM PUBLICLY OWNED?

Private Property. No individual can close a publicly owned airport. A publicly owned airport can get a great deal of support from the public and non-flying community, including the media and pro-airport elected officials. Privately owned airports, however, 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.

Federal Funding. Not all publicly owned airports have accepted federal funds for airport development through the Federal Aviation Administration (FAA), but the vast number that have are obligated to remain open through federal grant assurances. Only 79 of the 3,235 public-use airports that are eligible for federal airport development assistance are privately owned, public-use airports. No federal funding, no contractual obligation (grant assurances) by the airport sponsor to the FAA. These federal assurances (obligations) are one of the most important and vital tools AOPA has in our successful efforts to protect member interests at publicly owned airports. Without grant obligations, assisting members with issues that affect privately owned airports can be much more difficult if not impossible to mitigate or solve.

AOPA's ability to influence a local issue is very limited without federal or even state laws to protect the airport. Almost every example of when AOPA helped resolve a local airport issue was a federally funded airport because AOPA is able to leverage the grant obligations that come with federal funding from the FAA to put pressure on elected officials. But, even with grant assurances, local users and other interested parties must attend meetings, formulate a plan, and educate the community and its leaders on the benefits of its airport. AOPA has resources including videos and print guides available online and by mail, to help our members organize.



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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. Here are some broad strategies 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.
- **Consider a buy-out.** 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. The reasons why a private airport might come up for sale are unimportant. What is important is to determine how to keep the airport an airport.
 - > 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 was based solely on private funding.
 - > Wings Field Airport (LOM) near Philadelphia, Pennsylvania, was privately owned/public-use and sold to a private investor group.
- **Seek a public sponsor.**
 - > In Schaumburg, Illinois, 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.
 - > 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.
- **Economic impact.** Make an argument for 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.



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- **Public relations.** Tell your community what goes on at your airport. Conduct open houses; invite local school students to get “up close and personal” with aviation. Host job fairs. Show them how valuable it is to their community to have an airport. 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 first opened, most of the land around it was undeveloped. 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 rather than 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 the FAA pilot program, Purchase of Development Rights (PDR). Under the program, the FAA pays the private airport owner a lump sum of cash in exchange for a contractual obligation to maintain the airport property as an airport, and that no parcels of airport property will be sold off, thereby preventing housing, retail development, or any obstruction that would hinder airport operations. 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 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 is the watchdog to ensure the private airport owner follows PDR guidelines.
- **State aviation office assistance.** Most issues surrounding privately owned, public-use airports are a function of local and state laws. If the FAA is unwilling or unable to help, your state aviation office may be able to provide assistance. Many states have airport development funding grant programs for privately owned airports, with certain conditions that go along with those funds to ensure the future of the airport. The state aviation office may also be willing to work with local authorities to convince them to enforce zoning laws and other airport-favorable measures. An attorney licensed to practice law in your state will also be valuable when the issue at the airport involves either zoning requirements or leasing matters.

ALL POLITICS IS 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. A group in consensus about what it wants can 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. Be sure to have factual, verifiable data to back up any claims or arguments. AOPA and your state aviation office are two good sources for this information.



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With the privilege of private airport ownership comes the responsibility of ensuring 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.

AOPA can offer advice and information, keep in mind that we are not equipped with the same advocacy options 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. AOPA is here to support your efforts and provide reference and resource information for privately owned airport issues, but it is local tenants, airport users, businesses, and other interested parties that must be the first line of defense.

AOPA CAN

- Facilitate your contact with state and federal officials.
- Ask the property owner to reconsider.
- Inform other pilots in the area of the situation and seek their assistance on your behalf.
- Assist in organizing a local airport support group.
- Facilitate contact with local media outlets.
- Provide statistical information in support of keeping the airport open.
- Provide lists of aviation-related consultants who may be of assistance to your effort.
- Encourage purchase by a local government sponsor you identify as willing to acquire the airport.
- Provide recommendations to AOPA Legal Panel attorneys who may be helpful to your efforts.

AOPA CANNOT

- Buy the airport.
- Prevent the sale or closure.
- Fund the purchase of the airport.
- Provide legal resources or legal counsel.
- Participate in or testify at a lawsuit.
- Negotiate a sale price.
- Identify or find a buyer for the airport.
- Force local government to buy the airport.
- Force the current owner to sell the airport to a willing, local government sponsor.