

## FAA MISSION

The FAA's policy toward airport management primarily focuses on ensuring safety, security, and compliance with federal regulations. This is achieved through a combination of oversight, certification, and compliance programs. The FAA does not directly manage airport operations, but it sets standards and monitors airport operators to ensure they fulfill their obligations to the public. [1, 2, 3, 4]

**Key aspects of the FAA's policy include: [1]**

- **Airport Compliance Program:** This program ensures that airport operators adhere to their federal obligations, particularly when they receive federal funding or property. It monitors the administration of airport facilities to ensure they are operated safely and efficiently, and that the public interest is served. [1, 2]
- **Part 139 Airport Certification:** This certification process ensures that airports meet specific safety and emergency response requirements, including runway safety, aircraft rescue and firefighting, and wildlife hazard management. The FAA currently certifies approximately 520 US airports under Part 139. [4]
- **Safety Management Systems (SMS):** The FAA has mandated that certain airports implement SMS to identify and mitigate potential safety risks. This program helps airports proactively address potential safety issues before they lead to incidents or accidents. [3]
- **Economic Nondiscrimination:** The FAA requires airports to be open to all aeronautical activities without discrimination, as outlined in Sponsor Assurance 22. This means that airports must be available to all types of aeronautical activities on reasonable conditions. [5]
- **Airspace Regulations:** The FAA also has regulations regarding airspace, including traffic control procedures and the use of different airspace classifications. [6]
- **Notification of Construction:** The FAA requires notification of any proposed construction or alteration that may affect navigable airspace, allowing them to assess the impact on operations. [7]

[1] [https://www.faa.gov/airports/airport\\_compliance/overview](https://www.faa.gov/airports/airport_compliance/overview)

[2] [https://www.faa.gov/sites/faa.gov/files/airports/airport\\_compliance/compliance\\_guidance/airportSponsorAndUserRightsBrochure.pdf](https://www.faa.gov/sites/faa.gov/files/airports/airport_compliance/compliance_guidance/airportSponsorAndUserRightsBrochure.pdf)

[3] <https://www.faa.gov/newsroom/faa-completes-rule-increase-safety-airports>

[4] [https://www.faa.gov/airports/airport\\_safety/part139\\_cert](https://www.faa.gov/airports/airport_safety/part139_cert)

[5] <https://www.aeaweb.org/forum/4133/policy-definition-aeronautical-activities-comments-invited>

[6] [https://www.faa.gov/air\\_traffic/publications/atpubs/aim\\_html/chap4\\_section\\_3.html](https://www.faa.gov/air_traffic/publications/atpubs/aim_html/chap4_section_3.html)

[7] <https://www.faa.gov/airports/central/engineering/part77>

## ECONOMIC NON DISCRIMINATION

The FAA mandates that airport operations be conducted on a nondiscriminatory basis, ensuring fair access to facilities and services for all users, including commercial aeronautical service providers. This principle, known as economic nondiscrimination, prohibits unjust discrimination and ensures that all airport users are treated fairly and reasonably. [1, 2, 3]

### Key aspects of FAA's economic nondiscrimination policies: [1]

- **Fair Access:** Airport sponsors must make the airport available for public use on reasonable terms and without unjust discrimination to all types, kinds, and classes of aeronautical activities. [1]
- **Reasonable and Not Discriminatory Terms:** Commercial aeronautical service providers must furnish services on a reasonable and not unjustly discriminatory basis. [1]
- **Grant Assurance 22:** This assurance prohibits airports from discriminating against particular types, kinds, or classes of aircraft use. [4]
- **Equal Treatment:** Airport sponsors must treat similar airport users uniformly, ensuring they receive comparable terms and conditions, such as rental rates and lease terms, unless differences are justified. [2]
- **Affirmative Action:** Airport sponsors are required to take affirmative action to ensure nondiscrimination in all their operations. [5]
- **Title VI Compliance:** Airport sponsors must comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the grounds of race, color, or national origin. [5, 6]
- **Complaint Process:** Individuals can file complaints with the FAA Office of Civil Rights if they believe an airport or airport tenant has failed to comply with nondiscrimination requirements. [7]

### Examples of what economic nondiscrimination means in practice: [1, 4]

- An airport cannot favor certain types of aircraft (e.g., business jets) over others (e.g., single-engine pistons) in terms of access to facilities or services. [4, 4]
- An airport cannot charge different rental rates or lease terms to similar commercial aeronautical service providers without a valid justification. [2, 2]
- An airport must ensure that all airport users have access to the necessary services, including fuel, maintenance, and other support services, on a nondiscriminatory basis. [3, 8, 9, 10]
- An airport cannot discriminate against airport users based on race, color, national origin, sex, creed, age, or disability. [5, 5, 11, 11]

In essence, the FAA's economic nondiscrimination policies are designed to ensure that all airport users, regardless of their size, type of operation, or characteristics, have equal opportunities to utilize airport facilities and services on fair and reasonable terms. [1, 2, 5]

- [1] <https://www.faa.gov/airports/resources/workshops/arp-aco-airports-compliance-workshop-2024-compliance-overview.pdf>
- [2] [https://www.faa.gov/sites/faa.gov/files/airports/airport\\_compliance/compliance\\_guidance/airportSponsorAndUserRightsBrochure.pdf](https://www.faa.gov/sites/faa.gov/files/airports/airport_compliance/compliance_guidance/airportSponsorAndUserRightsBrochure.pdf)
- [3] [https://downloads.regulations.gov/FAA-2024-1668-0007/attachment\\_1.pdf](https://downloads.regulations.gov/FAA-2024-1668-0007/attachment_1.pdf)
- [4] <https://stonellp.com/faa-grant-assurance-lawyers/>
- [5] [https://www.faa.gov/about/office\\_org/headquarters\\_offices/acr/com\\_civ\\_support/non\\_disc\\_pr](https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr)
- [6] <https://flyfsm.com/non-discrimination-policy/>
- [7] [https://www.faa.gov/about/office\\_org/headquarters\\_offices/acr/external-discrimination-complaints](https://www.faa.gov/about/office_org/headquarters_offices/acr/external-discrimination-complaints)
- [8] <https://jetlaw.com/faa-attempts-to-demystify-economic-non-discrimination/>
- [9] [https://mvyairport.com/wp-content/uploads/2017/07/Title\\_VI\\_Brochure.pdf](https://mvyairport.com/wp-content/uploads/2017/07/Title_VI_Brochure.pdf)
- [10] <https://www.vpslp.com/blog/guide-to-fixed-based-operators-for-small-airports/>
- [11] [https://www.faa.gov/sites/faa.gov/files/about/office\\_org/headquarters\\_offices/acr/Non\\_Discrimination.pdf](https://www.faa.gov/sites/faa.gov/files/about/office_org/headquarters_offices/acr/Non_Discrimination.pdf)
- [-] <https://www.faa.gov/airports/resources/workshops/arp-aco-airports-compliance-workshop-2024-compliance-overview.pdf>
- [-] <https://www.denverpost.com/2023/07/07/centennial-rocky-mountain-airport-noise-lead/>

## Grant Assurance 22, Economic Nondiscrimination

Ensures fair and reasonable access to airport facilities for all users, including general aviation hangar owners. This assurance prohibits unjust discrimination in terms of rates, fees, and access to airport services and facilities. Essentially, it means that airport sponsors (e.g., municipalities, counties) cannot favor certain types of aircraft or users over others in terms of pricing, hangar space availability, or other aeronautical services. [1, 2, 3, 4]

Here's a more detailed breakdown: [2, 3]

- **Fair and Reasonable Terms:** Airports must make their facilities available to all aeronautical users (including general aviation) on fair and reasonable terms, without unjust discrimination. [2, 3]
- **No Favoritism:** Airport sponsors cannot favor certain types of aircraft or users over others (e.g., business jets over single-engine piston aircraft). [1, 4, 5]
- **Reasonable Fees and Rates:** Airports must charge rates and fees that are fair and reasonable, not unjustly discriminatory. [2, 3, 6]
- **Restrictions for Safety:** While airports can impose reasonable restrictions or limitations on aeronautical uses, these must be necessary for the safe operation of the airport. [4, 7]
- **Compliance:** Airport sponsors are responsible for ensuring compliance with Grant Assurance 22. If a violation is suspected, individuals can file complaints with the FAA or the airport/State DOT, according to the FAA. [1, 4, 8]

[1] <https://jetlaw.com/faa-attempts-to-demystify-economic-non-discrimination/>

[2] <https://www.federalregister.gov/documents/2016/06/15/2016-14133/policy-on-the-non-aeronautical-use-of-airport-hangars>

[3] [https://www.faa.gov/airports/aip/grant\\_assurances/assurances-airport-sponsors-2025](https://www.faa.gov/airports/aip/grant_assurances/assurances-airport-sponsors-2025)

[4] <https://www.faa.gov/airports/resources/workshops/arp-aco-airports-compliance-workshop-2024-compliance-overview.pdf>

[5] <https://stonellp.com/faa-grant-assurance-lawyers/>

[6] [https://downloads.regulations.gov/FAA-2024-1668-0007/attachment\\_1.pdf](https://downloads.regulations.gov/FAA-2024-1668-0007/attachment_1.pdf)

[7] [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/AC-150-5190-8-minimum-standards.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC-150-5190-8-minimum-standards.pdf)

[8] [https://www.faa.gov/about/office\\_org/headquarters\\_offices/acr/com\\_civ\\_support/non\\_disc\\_pr](https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr)

# LAND USE & LEASES

The FAA prioritizes the availability of airport facilities for aeronautical purposes and has specific policies regarding airport land leases for general aviation, including **limits on lease durations and requirements for reversionary clauses**. While the FAA doesn't directly approve or disapprove individual leases, it expects airport sponsors to maintain fair and reasonable terms and conditions for all users, including general aviation, on airport property. [\[1, 2, 3, 4\]](#)

Here's a more detailed look at the FAA's policies:

## 1. Lease Duration and Reversion: [\[1\]](#)

- **Maximum Lease Length:** The FAA generally discourages leases exceeding 30 years and prohibits leases longer than 50 years. [\[1\]](#)
- **Reversionary Clauses:** FAA requires reversionary clauses in leases, meaning that improvements made by a tenant (like hangars) revert to the airport sponsor at the end of the lease term or upon certain conditions. This ensures that airport facilities remain available for aeronautical use. [\[1, 3, 5, 6\]](#)
- **No Renewals:** A 30-year lease cannot be renewed for another 30 years, meaning it's a one-time agreement. [\[1\]](#)

## 2. Fairness and Non-Discrimination: [\[4, 4\]](#)

- The FAA requires airports to operate for the public benefit and be available to all types of aeronautical and non-aeronautical activity. [\[4, 4\]](#)
- This means that general aviation, including private pilots, corporate aviation, and flight schools, must be able to access airport facilities on fair and reasonable terms, without unjust discrimination. [\[4, 4, 7, 8\]](#)

## 3. Land Use Compatibility: [\[2, 9\]](#)

- The FAA discourages incompatible land uses on airport property that could interfere with aviation operations or pose safety hazards.
- Examples of incompatible land uses include residential areas within noise contours, structures that obstruct airspace, and land uses that attract wildlife. [\[2, 9\]](#)

## 4. Approval of Land Use Changes: [\[10\]](#)

- Airport sponsors must formally request FAA approval for any changes in land use on property acquired with federal grant assistance.
- The request must include details about the property, its current use, the proposed new use, and the potential impact on aeronautical demand. [\[10\]](#)

## 5. Hangar Use Policy: [\[3\]](#)

- The FAA expects hangars on airport property to be used for aeronautical purposes, even if privately owned.
- The FAA's agreement with airport sponsors requires that airport facilities, including hangars, are used for aeronautical purposes, according to the FAA. [3]

In essence, the FAA's policies ensure that airport facilities, including land for general aviation, are used in a way that supports aviation safety, operational efficiency, and public benefit, while also protecting the airport's long-term aeronautical needs. [1, 2, 3, 4]

*Generative AI is experimental.*

- [1] <https://dot.sd.gov/media/documents/AirportsConference/Thurs%201%20Taylor%20-%20Airport%20sponsor%20lease%20considerations.pdf>
- [2] <https://www.federalregister.gov/documents/2023/12/08/2023-27017/policy-regarding-processing-land-use-changes-on-federally-acquired-or-federally-conveyed-airport>
- [3] [https://www.faa.gov/airports/airport\\_compliance/hangar\\_use](https://www.faa.gov/airports/airport_compliance/hangar_use)
- [4] <https://syrairport.org/wp-content/uploads/2023/02/SYR-Commercial-General-Leasing-Policy-Final.pdf>
- [5] <https://www.aopa.org/news-and-media/all-news/2024/march/21/a-candid-reflection-on-faa-aircraft-hangar-leases-and-hangar-reversion-policy>
- [6] <https://www.aviationpros.com/fbos-tenants/article/12241409/airport-reversion-clauses>
- [7] <https://flysafford.com/wp-content/uploads/2024/08/KSAD-Leasing-Policy.pdf>
- [8] <https://caa.go.ug/wp-content/uploads/2022/11/Civil-Aviation-Security-Regulations-2022.pdf>
- [9] [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/150\\_5190\\_4b\\_Land\\_Use\\_Compatibility.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/150_5190_4b_Land_Use_Compatibility.pdf)
- [10] <https://www.kaplankirsch.com/resources-and-news/faa-finalizes-sweeping-changes-to-regulation-of-airport-land-use/>