

# AIRPORT LEASES



# BACKGROUND

- Purpose of the public airport lease is to lease public land for airport purposes – Act of May 24, 1928 (49 U.S.C. Appendix 211-213)
- Land must be contiguous, unreserved, unappropriated, not to exceed 2,560 acres
- Applicant can be an individual (citizen), Corporation or a State or political subdivision
- Regulations found at 2911 - very complete - additional guidance found in 2911 Manual

# APPLICATION

- \$100 Filing Fee (non-refundable)
- No formal application form - application must contain clear legal description plus plan of development and use
- AO may request any state and local licenses or permits
- Filing of application segregates the land - see 2091.3-1(d)

# APPLICATION PROCESSING

- Copy of application and development and use plans to FAA for review - FAA reviews for fuel facilities, lights, other furnishings for the rating
- FAA prepares a report - conditions and requirements become a condition of the lease
- EA/Mineral Report, etc.

# APPLICATION PROCESSING

- Publish NORA in the Federal Register and in the local newspaper (applicant pays) - 45 day comment period
- Appraisal - Full FMV for individuals or corporations  
50% of FMV for States and political subdivisions  
Minimum for both \$100 per year rental

# LEASE

- Signed by applicant and AO (2 originals) - Form 2910-1
- Both BLM and FAA have right to inspect facility at any time
- Lessee has 1 year to equip airport as required by FAA
- Lease up to 20 years - suggest renewal language

# LEASE

- Send one original to lessee, one original to casefile, and a copy of executed lease to FAA
- Execution of lease continues to segregate the land - 2091.4-2 (note conflict with 2911 regs.)
- Send a copy of executed lease to SO for plat notation - Update LR 2000 and LRAM

# COMPLIANCE

- FMV rental is reviewed every 5 years
- FAA submits report on use of the lands by the lessee every 5 years
- BLM and FAA may inspect facility at any time



# COMPLIANCE

**Lease may be cancelled for:**

- 1. failure to pay rental**
- 2. failure to use for a period of six months**
- 3. use of the property for any reason other than that authorized**
- 4. failure to maintain the premises as required by FAA**
- 5. failure to comply with terms and conditions of the lease or the 2911 regulations**