

General Requirements for Temporarily Closing an Obligated Airport for Nonaeronautical Special Events

The Great Lakes Airports Division has become aware of an increasing number of requests to use airport property for nonaeronautical special events. Though the FAA generally opposes airport closures, or partial airport closures, for nonaeronautical purposes, we recognize that there are circumstances when a temporary or partial closure may be beneficial to the airport. This Resource Bulletin highlights key documentation needed for requests to temporarily close, or partially close, an obligated airport for nonaeronautical special events.

- **Documentation Needed–**
 - Identify the location of the special event on the airport.
 - It should be in an area which will not interfere with the airport's normal use.

General Definitions

- **Special Event.** Any event on an airport that is not considered to be a normal or routine aeronautical use of the airport.
- **Aeronautical Use.** All activities that involve or are directly related to the operation of aircraft, including activities that make the operation of aircraft possible and safe.
- **Nonaeronautical Use.** All other uses of the airport are considered nonaeronautical.

- **General Requirements–**
 - Temporary closure of an obligated public-use airport for nonaeronautical special events must have FAA approval prior to the event. The FAA generally strongly opposes full airport closures for nonaeronautical special events. The Great Lakes Region will consider these types of requests after all other alternatives have been reviewed.
 - Temporary Partial closure of an airport that limits the use of airport facilities from their intended purpose is not consistent with the sponsor's obligations and should be coordinated with the FAA in advance.
 - Nonaeronautical events at your airport may not be consistent with Grant Assurances and/or FAA policies regarding the requirement for a self-sustaining airport rate structure as included in the FAA Revenue Use Policy.
 - Coordination with the appropriate Airports District Office (ADO), or State Block Grant (SBG) office, should begin at least 90 days prior to the event.
- Demonstrate that the event has widespread community support.
- Identify other event facilities considered and explain why they could not be used.
- Identify the following impacts:
 - Possible significant adverse impacts to the aviation community.
 - Other airports in the area available to handle diverted air traffic if full closure or temporary partial closure is requested.
 - Services, activities, and revenue streams that may be impacted (e.g. no fuel sales, limited or no access to certain hangars, etc).
- Precautions taken to prevent damage to airport property, including:
 - Airport facilities, equipment, navigational aids, and pavement constructed with Federal funds.
 - Pavements shall be restored to their original condition upon completion of the special event (including removal of all markings).

- Costs of damage and repairs must be borne by the promoter of the event or the airport owner (airport revenue may not be used to repair or provide any logistical support, or services).
- Provide proof of liability insurance that identifies the airport as the insured and is appropriate for the event's impact.
 - Does the lease agreement include a hold harmless clause?
- Identify financial or other benefits that will accrue to the airport as a result of the special event.
 - How Fair Market Value was determined for use of airport property/facilities?
 - How will revenue be expended for capital or operating costs of the airport?
- Demonstrate coordination
 - With air carriers, aeronautical tenants, and local users. How have their concerns been addressed?
 - Appropriate NOTAMs will be issued in a timely manner prior to the planned event, and canceled afterwards.
- Safety-phasing plan. FAA concurrence required. Should include plan for temporary markings and operational movements.
- Airspace Coordination. No obstructions, as determined by FAA to be hazards, will be constructed.
- For airports with scheduled air carrier service and/or Certificated under FAR Part 139:
 - Coordination with security personnel
 - Inspection of airport movement areas by airport personnel prior to resumption of air carrier operations.
- **After the Special Event** – FAA approval may require the airport owner to prepare a Financial Summary Report of the costs incurred and revenues received by the airport from the special event.
 - A copy of the report shall be forwarded to the ADO, or SBG office, within 90 days of the FAA's, or SBG's, request.

AIP Grant Assurance #19 –

*“The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. **It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes.** It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. **Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary.**”*

Where Can I learn More?

- FAA Order 5190.6B, Section 7.21 (September 30, 2009)
- FAA Grant Assurances (http://www.faa.gov/airports/aip/grant_assurances/)
- FAA Policy and Procedures Concerning the Use of Airport Revenue Federal Register Notice (February 16, 1999) (http://www.faa.gov/airports/resources/publications/federal_register_notices/media/obligation_final99.pdf)
- 49 U.S.C § 47107(a)(8)