



Rural Airport Leasing Program

Supporting Airport Development and
Financial Sustainability through Land Use
Management in the Alaska DOT&PF Rural
Airport System

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Abbreviations

- AACAlaska Advisory Code
- AC.....Advisory Circular
- ADEC Alaska Department of Environmental Conservation
- AIPAirport Improvement Program
- ALP Airport Layout Plan
- ALS.....Airport Leasing Specialist
- DOT&PF.....Department of Transportation and Public Facilities
- EPA U.S. Environmental Protection Agency
- ESAEnvironmental Site Assessment
- FAA.....Federal Aviation Administration
- LARCLease Application Review Committee
- NEPA National Environmental Policy Act



Introduction

With limited road access in many Alaskan communities, aviation is essential for connecting remote areas to critical goods and services. Airports serve as lifelines for transporting mail, cargo, travelers, and emergency aid. To support these functions, individuals and organizations can apply to the Alaska Department of Transportation and Public Facilities (DOT&PF) for a land use agreement to use land at state airports. The type of authorization—lease, permit, or other type of agreement—depends on the intended use and land availability.

These contracted areas generally support aeronautical activities—such as aircraft parking, fueling services, tiedowns, or cargo handling—that benefit local communities and the state economy. In some cases, non-aeronautical uses may be allowed, but they must not interfere with aeronautical uses and typically require both FAA approval and payment of fair market rental rates.

AIRPORT LEASING MISSION:

To lease property to the general public at rural airports owned by the State of Alaska.

Leasing is governed by both state regulations (such as [17 AAC 45¹](#)) and federal requirements, especially FAA grant assurances and policies (https://www.faa.gov/airports/aip/grant_assurances) . [FAA Order 5190.6B](#), the *Airport Compliance Manual*² outlines how land use agreements must align with safe, efficient airport operation, reasonable terms, and non-discriminatory access. For instance, the FAA evaluates the agreement duration and land use to ensure it complies with appropriate policy, depending on the applicant's investment and expected use.

As of 2025, DOT&PF oversees 235 rural airports in the system and manages approximately 1,500 active land use agreements. Whether the need is for a short-term or specific permitting use, or a long-term land use agreement to invest in larger airport improvements, DOT&PF provides a suite of options. [Regional leasing staff](#) can help applicants determine the best option for the intended use or investment.

This white paper outlines the airport leasing process in Alaska, including the benefits of land use management and the relevant FAA and state regulations. While not exhaustive, it is intended to provide a foundational understanding and direct readers to key regulatory sources. Regulations may change, so readers should consult current state and FAA guidance.

² Order 5190.6B – FAA Airport Compliance Manual:
https://www.faa.gov/documentLibrary/media/Order/Order_5190.6B_Compliance_Chg3.pdf



Airport Leases

Alaska Administrative Code [17 AAC 45.990](#)³ defines a “lease” as:

“a written agreement that creates a relationship between the department, as landlord, and a person, as tenant, and that grants to the tenant the possession of airport land or building space for a determined period of time.”

Further, a “land lease” is defined as:

- “(a) a lease of state land managed as part of an airport and under which the lessee owns and retains, or covenants to construct certain privately-owned permanent improvements on the land according to specification and to maintain the improvements during the term of the lease;*
- (b) does not include a grant of a right to use or occupy a state-owned building;”*

Airport *leases* are for a specific term, based on the investment to be spent on permanent improvements, and can be issued for up to 55 years. These leases allow for permanent improvements such as construction and updates to airport hangars and terminal facilities. The lessee is responsible for all costs associated with development of the property, including a site survey, bringing utilities onto the site, driveways, any state or federal permitting, all costs of construction, as-built drawings, evidence of investment documentation when construction is complete, insurance, and property taxes.

In some cases, depending on the long-term plans for an airport, there may be leasing opportunities available even if a property isn’t marked for leasing. It is recommended to reach out to regional leasing staff to discuss options and availability.

Airport Land Use Permits

Unlike leases, which grant long-term possession of airport land, *land use permits* are typically used for short-term or limited activities that do not require long-term land rights or will not involve the construction of permanent improvements.

A “permit” is defined in Alaska Administrative Code [17 AAC 45.990](#)⁴ as:

“... a written, revocable authorization or license that the department issues to allow a person to perform an act or conduct an activity on an airport.”

When an agreement is signed for airport land and no permanent improvements are expected to be constructed, a land use permit is issued rather than a lease. Land use permits may allow for the placement of temporary structures without a foundation, such as a shed or conex on skids, oftentimes used for storage.

³ Alaska Administrative Code 17 AAC 45.990 Definitions: <https://www.akleg.gov/basis/aac.asp#17.45.990>

⁴ Alaska Administrative Code 17 AAC 45.990 Definitions: <https://www.akleg.gov/basis/aac.asp#17.45.990>



Other Permits under the Leasing Program

- 1) **Airport Building Permit:** If any improvements, permanent or temporary, are expected to be constructed, remodeled, or removed, or any filling, excavating or clearing land is to be taking place, an approved airport building permit will be required. This helps ensure that the improvements conform with airport safety, design, planning and operations.
- 2) **Fuel Dispensing Permit:** If any fueling activities are to be conducted on the airport using mobile fueling equipment, a fuel dispensing permit will be required. This will ensure mobile fueling equipment and practices are in line with fire marshal and other state requirements.
- 3) **Airport Boundary Crossing Permit:** If an owner of land next to the airport wishes to cross onto the airport with an aircraft or vehicle, a boundary crossing permit will be required.
- 4) **Other Permits:** Permits are required for special events, for businesses that come on to the airport to perform services, and for filming and drone use, to name a few. The use of airport access roads requires sponsor authorization.

Community Impacts of the Leasing Program

Offering a range of on-airport services directly supports airport users and surrounding communities. In Alaska, those needs are amplified by extreme weather, limited infrastructure, and a reliance on gravel infrastructure, often requiring maintenance buildings to house snow-removal and maintenance equipment. At many remote, rural system airports, these maintenance buildings are the only structures on the entire airport; lessees may rely on small lease lots or conexes for their operations, but no terminals or typical support facilities (including fuel) exist.

In other parts of the country, airport sponsors⁵ typically own and operate terminal buildings. In Alaska, state-owned terminal facilities are limited to Anchorage and Fairbanks International Airports, with many places offering no public amenities at all. At some rural system airports, terminals exist only because private operators such as Alaska Airlines contract land on the airport to build and manage their own facilities. These leased terminals are typically modest, serving as warm, dry spaces for travelers and essential storage for cargo operators and generally have leases that extend out many years. In regions prone to severe weather and long wait times, these leased facilities are critical for passenger comfort, safety, and operational reliability.

The federal and state requirements for airport land use agreements are clear and provide site-specific regulations and guidance. With consistency in the application and review process, applicants and staff have clear expectations of what to expect throughout the lifetime of their land use agreement.

Additionally, land use agreements generate revenue that supports the statewide aviation system. Per FAA regulation, this revenue is required to be reinvested in airport-related uses, such as capital projects,

⁵ An airport sponsor is the legal owner, manager, or designated representative of a public-use airport and can be a public agency, state, or a private owner, and are responsible for the airport's operation; an airport sponsor's responsibilities are commonly referred to as its Federal grant obligations or grant assurances (i.e. FAA refers to the recipient of an AIP grant as a sponsor).



airport maintenance and operations, and other functional tasks, and cannot be diverted to non-airport purposes.

Together, these benefits highlight the importance of local ownership and investment in airport infrastructure through well-managed leasing programs.

Environmental Requirements Related to Contamination

Operating on airport property can involve significant environmental contamination risks and regulatory requirements for both the department and the tenant. A tenant on a brand-new parcel of land can perform an Environmental Site Assessment (ESA) at their own expense and submit the findings to the leasing office. If contamination is suspected or identified, additional coordination with the Alaska Department of Environmental Conservation (ADEC) may be required. If conducted before the leasing application is approved, the ESA forms an environmental baseline under which to start the new land use agreement.

However, once a land use agreement is signed, and that piece of land has been “used”, a tenant then becomes a “responsible party” to all contamination on that property. And thereafter, when a new tenant purchases that agreement, under the transfer of ownership (or “assignment”) process, that new tenant must sign to accept responsibility for *all* contamination on the property since the initial contract for that land. In fact, under an assignment, the only way a new tenant may be excused from this responsibility is if they perform an environmental site assessment *before* the purchase takes place and holds the current (previous) tenant responsible for cleaning up all historical contamination. Then, a new environmental site assessment would come back clean, and the new tenant would start off “fresh”.

In addition, land use agreement holders must comply with all state and federal environmental regulations, including stormwater management. It is the agreement holder’s responsibility to research and determine if a stormwater permit is required for their operations and to comply with additional environmental regulations through the U.S. Environmental Protection Agency (EPA) and the ADEC.⁶ In addition, any fuel storage or use of fuel on airport land is required to have a fuel spill prevention plan and/or spill prevention, control, and countermeasure plan.

National Environmental Policy Act (NEPA) Requirements for Tenant Development

NEPA, enacted by Congress in 1969 and signed into law on January 1, 1970, requires Federal agencies to consider and publicly disclose the environmental effects of their proposed actions. [Order 1050.1G FAA National Environmental Policy Act Implementing Procedures](#)⁷ serves as the FAA policy and procedures for compliance with the NEPA.

NEPA is triggered when the FAA must approve an action. This could include FAA approval of a change to the airport’s Airport Layout Plan (ALP), FAA approval of the use of federal grant funding, consent for non-aeronautical use, or other FAA permitting or federal funding for improvements. If federal approval,

⁶ Alaska Statewide Aviation, Airport Storm Water Pollution Prevention (SWPP) Plans:

<https://dot.alaska.gov/stwdav/swppp.shtml>

⁷FAA Order 1050.1G FAA NEPA Implementing Procedures:

https://www.faa.gov/regulations_policies/orders_notices/index.cfm/go/document.information/documentID/1043997



funding, or consent is not required for actions taken on airport land, including leased land, NEPA may not apply.

If NEPA is triggered, the FAA would oversee the NEPA process for an airport project. Evaluation of impacts could include but is not limited to wetlands, water quality, biological resources, cultural resources, contamination, and floodplains. Depending on level of environmental impact, the principal levels of NEPA requirements are: Categorical Exclusion, Environmental Assessment, and Environmental Impact Statement. Environmental compliance must be achieved before leases can be finalized or construction begins. DOT&PF Leasing Specialists will be able to help answer questions about whether or not a project may need FAA consent, ALP changes, or the use of federal funds.

More information on the NEPA process for airport projects can be found in the [AASP NEPA Process Whitepaper](#).⁸

Assigned-Space Aircraft Parking (Tiedown) Permit

The [Rural Airport Assigned-Space Aircraft Parking Program](#)⁹, or tiedown program, allows an aircraft owner to [apply for a permit](#) to rent a tiedown space for their aircraft at a participating airport. It is a designated location on the airport that is accessible and of sufficient dimensions to accommodate a light aircraft. The Airport Manager ensures defined markings on the ground, rough dimensions, or reference points to designate the space for parking wheel, ski or tundra tire-equipped light aircraft are available. Figure 1, below, shows the Tok Tiedown Map as an example to illustrate an airport layout with available tiedowns. Tiedown anchors may be present and must be approved if an installation is desired. DOT&PF is not obligated to provide an aircraft tiedown anchoring device in an assigned space¹⁰.

The tiedown program offers two types of permits. The short-term permit is a minimum of 3 months and a maximum of 12 months. Duration for the long-term permit is 5 years and is billed every 6 months.

⁸ AASP Whitepaper - The NEPA Process: https://www.alaskaasp.com/media/4841/2024-08-12_aasp_nepa_whitepaper_final.pdf

⁹ DOT&PF Tiedown Program: <https://dot.alaska.gov/stwdav/tiedown.shtml>

¹⁰ 17 AAC 45.510(J) - Assigned-space use and fees



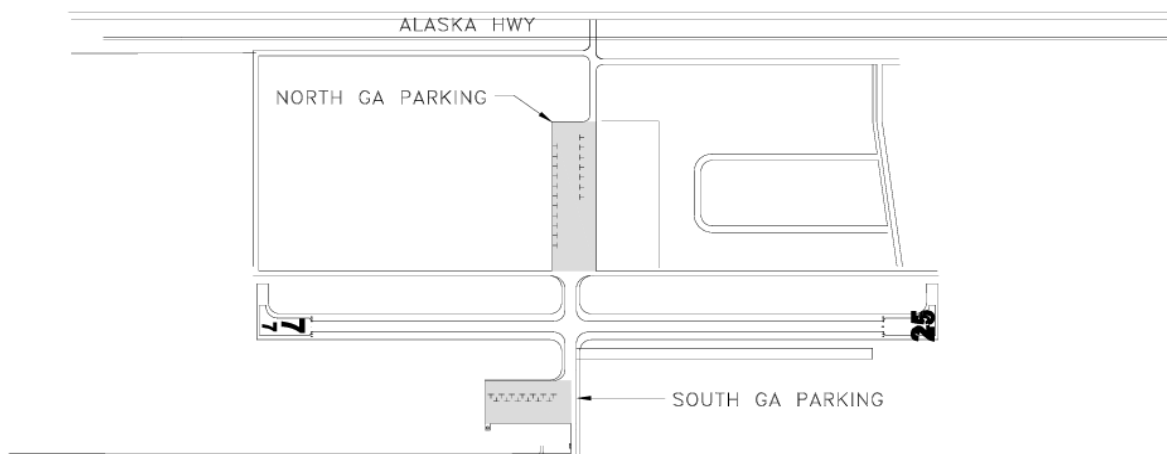


Figure 1 Tok Tiedown Map

As of 2025, DOT&PF currently has tiedown programs at the following rural airports:

▶ Aniak Airport	▶ Homer	▶ Nome City Field
▶ Bethel Airport	▶ Iliamna	▶ Talkeetna
▶ Big Lake	▶ King Salmon	▶ Tok
▶ Birchwood	▶ Kotzebue (Ralph Wien Memorial)	▶ Unalakleet
▶ Dillingham	▶ McGrath	▶ Willow
▶ Gulkana	▶ Nome	

Aeronautical vs. Non-Aeronautical Use

Under airport leasing regulations, land use is identified as either aeronautical or non-aeronautical.

Alaska Administrative Code [17 AAC 45.990](https://www.akleg.gov/basis/aac.asp#17.45.990)¹¹ defines an “aeronautical use” as:

- “(A) any airport land use activity that involves or is directly related to the operation of aircraft;
(B) includes*
- (i) any activity that makes the operation of aircraft possible and safe;*
 - (ii) any service that is located on the airport and that is directly and substantially related to the movement of passengers, baggage, mail, and cargo by aircraft on the airport;*

¹¹ Alaska Administrative Code 17 AAC 45.990 Definitions: <https://www.akleg.gov/basis/aac.asp#17.45.990>



“Aeronautical Activity” is defined in FAA Order 5190.6B, the Airport Compliance Manual, as: any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to or is required for the safety of such operations. It includes, but is not limited to:

- Air taxi and charter operations.
- Scheduled or nonscheduled air carrier services.
- Pilot training.
- Aircraft rental and sightseeing.
- Aerial photography.
- Aerial advertising and surveying.
- Aircraft sales and service.
- Aircraft storage.
- Sale of aviation petroleum products.
- Repair and maintenance of aircraft.
- Military flight operations.¹²

Alaska Administrative Code [17 AAC 45.990](#)¹³ defines “non-aeronautical use” as:

“any airport land use, business, service, or function that is not an aeronautical use.”¹⁴

In a practical sense, aeronautical uses include airport operational functions and facilities such as hangars, aircraft fueling, aircraft maintenance facilities, or cargo handling—anything that is essential for air travel or supports air transportation. Non-aeronautical uses generate revenue for the airport but aren’t directly related to aircraft, such as retail stores, restaurants, car rental agencies, tourism businesses or warehousing, gravel pits, hotels, and non-aeronautical storage.

Under FAA Compliance instructions, aeronautical users may store or conduct non-aeronautical activities in an aeronautical facility only if the use is classed as “de minimis” and does not displace any aeronautical activities. “De minimis” is a Latin phrase meaning “of little importance” or “trifling” and refers to something so small that the law does not need to concern itself with it. An example would be a small amount of personal non-aeronautical equipment stored under the wings of an aircraft.

If the requested non-aeronautical use is going to be more than “de minimis”, it must be reviewed and approved by FAA Compliance. It may also require an amendment to the land use agreement to allow for such use.

The distinction is crucial for several reasons, including federal regulations and oversight, grant assurances, and rental rate differences, ultimately ensuring the operation of airports and the use of land is kept for aeronautical purposes, promoting long-term financial stability, and mitigating potential conflicts with airport operations.

¹² Order 5190.6B – FAA Airport Compliance Manual:

https://www.faa.gov/documentLibrary/media/Order/Order_5190.6B_Compliance_Chg3.pdf

¹³ Alaska Administrative Code 17 AAC 45.990 Definitions: <https://www.akleg.gov/basis/aac.asp#17.45.990>

¹⁴ The Alaska State Legislature: Alaska Admin Code 17 AAC 45.990 <https://www.akleg.gov/basis/aac.asp#17.45.990>



A prohibition or limit on aeronautical use may be issued based on safety or on a conflict between classes or types of operation. FAA Order 5190.6B reads as follows:

14.3. Restricting Aeronautical Activities. While the airport sponsor must allow use of its airport by all types, kinds, and classes of aeronautical activity, as well as by the general public, Grant Assurance 22, Economic Nondiscrimination, also provides for a limited exception: “the airport sponsor may prohibit or limit any given type, kind, or class of aeronautical use of the airport if such action is reasonable and necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.”

Any restriction proposed by an airport sponsor based upon safety and efficiency, including those proposed under Grant Assurance 22(i) must be adequately justified and supported.

Compliance and Grant Assurances

When an airport accepts funding from FAA-administered programs, such as the [Airport Improvement Program \(AIP\)](#),¹⁵ they are required to comply with specific grant assurance obligations established by the FAA. These assurances govern the operation and maintenance of airport facilities and revenues, and may be incorporated into the grant application, grant agreement, or property deed covenants. The length of time these obligations apply varies, based on the recipient type, the useful life of the funded facility, and other conditions outlined in the assurances.

More information about current and historical assurances are available on the [FAA website](#)¹⁶ and in the [FAA Airport Compliance Manual](#).¹⁷

FAA assurances prohibit an airport from operating or permitting any activity that would interfere with the airport’s intended aeronautical operations. For example, a hangar can be used for aircraft storage and maintenance but not ground vehicles unless explicitly approved by the FAA. If hangars are not reserved for aeronautical use, federal airport grant funds could inadvertently subsidize non-aeronautical users and could decrease future funding for needed airport facilities.

One assurance also requires that all airport-generated revenues, including those from non-aeronautical activities, be reinvested back into airport capital or operating costs and projects. **Non-aeronautical users must pay fair market value rental rates and fees for agreements and services**, to avoid airport subsidization of non-aeronautical activities.

Leasing Program Format

DOT&PF’s role throughout the leasing process is to act as a partner to communities and land use agreement holders, providing technical support and guidance to help improve the aviation system as a whole and to enhance connectivity where Alaskans need it most. Additionally, DOT&PF acts as a landlord or property manager, ensuring land use agreement holders and permittees comply with FAA standards and other federal and state regulatory requirements. The Leasing Program is divided into three Alaskan regions shown by Figure 2.

¹⁵ FAA AIP Handbook: https://www.faa.gov/airports/aip/aip_handbook

¹⁶ Federal Aviation Administration, Grant Assurances (Obligations) https://www.faa.gov/airports/aip/grant_assurances

¹⁷ Order 5190.6B – FAA Airport Compliance Manual:

https://www.faa.gov/documentLibrary/media/Order/Order_5190.6B_Compliance_Chg3.pdf



Figure 3 illustrates the structure of the DOT&PF leasing program and shows the relationship between leasing staff and the Leasing Application Review Committee (LARC). The next section describes the leasing application process for the applicant and how State leasing applications are reviewed and processed.

The DOT&PF website¹⁸ provides leasing staff contacts for each Alaskan DOT&PF region and which airport each staff member is assigned to. The website also provides helpful links and FAQs, essential forms and documents, and other information relevant to the leasing process. The steps to obtain a land use agreement, including an overview of the steps from the applicant's perspective, and details about the LARC process, are outlined next.



Figure 2 DOT&PF Alaskan Regions

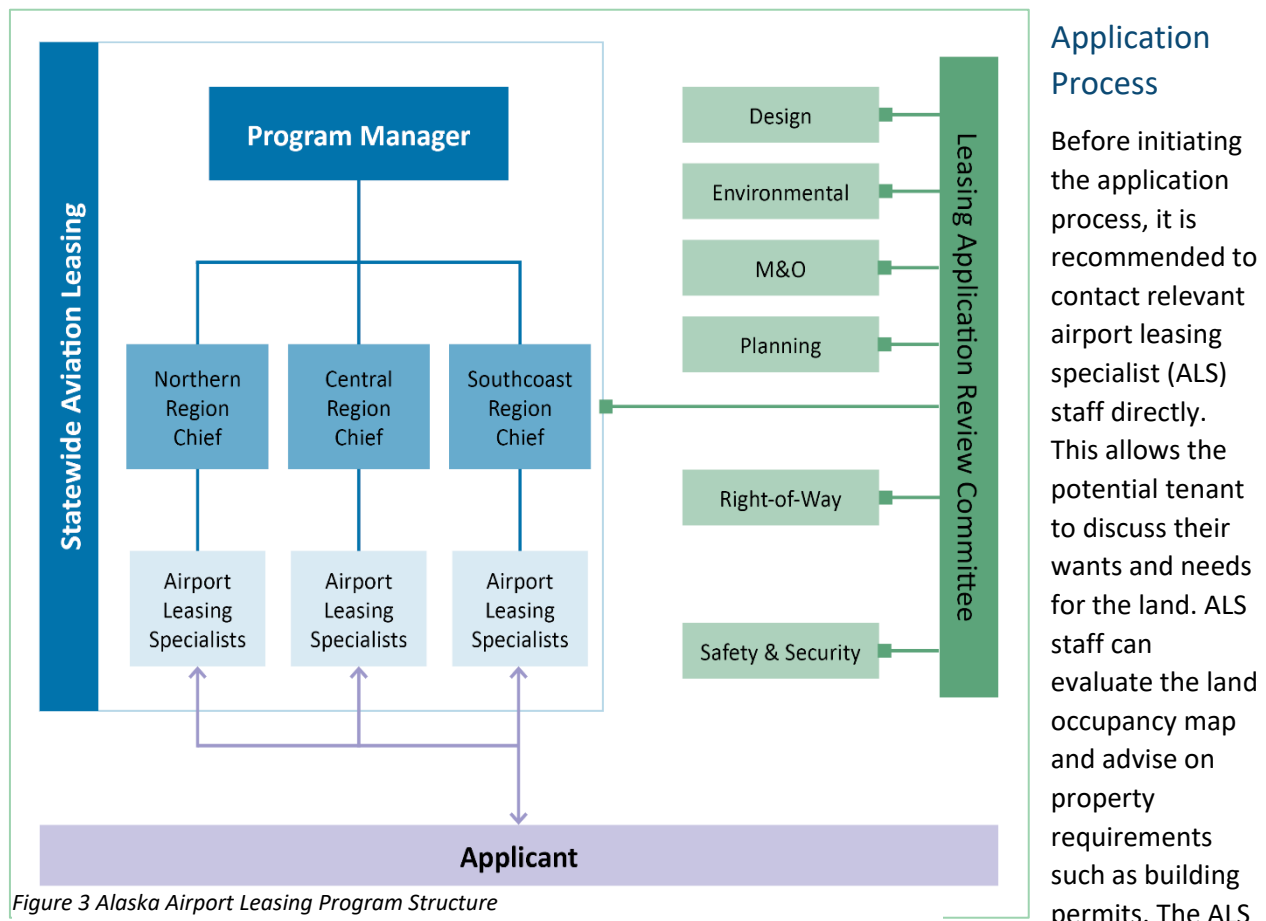


Figure 3 Alaska Airport Leasing Program Structure

can discuss limitations and options with the applicant and, although ALS staff cannot direct an applicant on which land to apply for, they can provide expert guidance on an appropriate location based on

¹⁸ <https://dot.alaska.gov/stwdav/leasing.shtml>

intended uses. Taking this first step before submitting an application can improve the success and efficiency of the application process for all parties.

LARC Process Overview

The Lease Application Review Committee (LARC) is made up of representatives from several divisions within DOT&PF, each bringing a unique perspective to the evaluation of land use applications. This multidisciplinary review is essential to ensure that airport development aligns with state and federal regulations, protects public safety, and supports long-term planning and operational needs.

Because each division evaluates proposals through its specific lens—such as leasing, maintenance, design, construction, right-of-way, airport safety and security, and airport planning—the review process can take time. For example, while one division may assess whether a proposed hangar location maintains safe aircraft clearances, another may evaluate whether the proposal interferes with future runway expansion, violates existing grant assurances or will impede safe winter operations. This thorough, cross-disciplinary coordination ensures that land use agreements support current and future airport functions without introducing conflicts or safety risks.

Applications are not automatically denied if concerns are identified during review. Just like in the initial application process, LARC members often instruct ALS's to work with applicants to revise and improve proposals so they can move forward. However, resolving these issues may require multiple rounds of review and coordination, which can extend the timeline. All three DOT&PF regions follow the same standardized review process, which includes options if a decision is protested or appealed.

While FAA regulations give priority to aeronautical uses, DOT&PF is required to evaluate all applications objectively and without partiality. LARC plays a key role in ensuring that proposed uses—whether aeronautical or non-aeronautical—are reviewed fairly and in full compliance with applicable regulations and airport planning priorities.

Airport land use agreements may require additional approvals depending on the activity being conducted, such as fire marshal approval, construction safety permits, or fuel spill prevention plans. Additionally, construction or alteration of infrastructure or facilities on an airport require an FAA airspace determination (Notice of Proposed Construction or Alteration or 7460-1 form)¹⁹. This FAA form includes an airspace analysis of any proposed developments, requiring at least 45 days to process. In some cases, development can also trigger requirements for managing noise pollution, a larger scale NEPA process, or updating an ALP. Each land use application is unique, and every regulatory layer can add time to the application process. The knowledge and expertise of DOT&PF leasing staff can help provide necessary guidance throughout the process and help an applicant determine a realistic timeline based on the requirements of their application.

¹⁹ Form FAA 7460-1 – Notice of Proposed Construction or Alteration:
<https://www.faa.gov/forms/index.cfm/go/document.information/documentid/186273>



Leasing Application Process Summary

Step 0. Pre-Application Preparation
Applicant may consult with ALS staff regarding lot location, desired use, and any additional application details.
Step 1. Submit Lease Application
After consulting with ALS staff and understanding the required application process , the applicant submits an application either through eLeasing or through a paper application form, along with the appropriate supplemental materials and application fee.
Step 2. ALS Application Review
The ALS reviews the application for completeness and reaches out to the applicant if additional information or clarification is needed. Once complete, the ALS distributes the application to the Leasing Application Review Committee (LARC) for comments, approval or denial.
Step 3. LARC Application Review
The application is reviewed by the LARC, and the LARC recommends approval or denial of the application to the ALS. Additionally, the Leasing Chief provides final approval or denial and can override a LARC recommendation based on circumstances or inconsistencies in the LARC member recommendations.
Step 4. Public Notice
If the application is approved by the LARC and the Leasing Chief, the proposed details of the application are then published online and posted physically in the community for 30-days, in order to receive comments from the public. Depending on the application, the public notice may or may not also include an invitation for competing applications.
Step 5. Decision
If no issues arise during the 30-day public notice period, the ALS offers an agreement, such as a lease contract, to the applicant to sign and return.
Step 6. Construction on Contracted Land
All site preparation, construction and demolition on airport property requires additional permitting and the agreement holder is responsible for all costs associated with development of the property.
Step 7. Contract Extension
At the end of the term of the land use contract, the tenant has the option to apply for a term extension, if desired. The tenant can apply for a land lease term extension based on their investment, purchase price, fair market value, or remaining useful life of permanent improvements not already used to set term. Additionally, a new tenant can apply for an extended term based on their purchase price if ownership of the agreement is sold. Additional term can also be applied for without investment in blocks of up to five years.
Step 8. Contract Expiration, Termination or Cancellation
If the contract expires, or is cancelled or terminated without an extension, the tenant is required, at their own expense, to remove any improvements, structures and personal property remaining on the land.



Conclusion

The Alaska DOT&PF has a well-defined process for leasing property on airports to facilitate aeronautical activity, regional commerce and revenue generation to support long term sustainability and planning goals across the airport system. Depending on the complexities of an application, long turnaround times may be necessary. DOT&PF staff are located throughout the state to provide support to applicants during the process and ensure airport activity supports safe, efficient operations consistent with federal regulation and long-term development. Prospective applicants are encouraged to engage early with DOT&PF Leasing Specialists to ensure proposals align with airport needs and requirements. This can reduce the turnaround time.

[Explore the Airport Leasing website](#) or reach out to your nearest DOT&PF leasing staff to learn more.

