



October 17, 2022

Docket Operations, Room WI2-140
US Department of Transportation, West Building
Federal Aviation Administration Routing Symbol M-30
1200 New Jersey SE, Washington, DC 20590

RE: Comments on Docket Number FAA 2022-1203

To Whom it May Concern:

Charlotte Douglas International Airport (CLT), owned and operated by the City of Charlotte, appreciates the opportunity to comment on the Draft Policy Regarding Processing Land Use Changes on Federally Acquired or Federally Conveyed Airport Land (the Policy). We read the Policy as an attempt to support the Federal Aviation Administration (FAA) in ensuring that airports continue to prioritize aeronautical development. That said, we believe that existing legal and regulatory requirements already enable airports to utilize non-aeronautical land for their benefit without jeopardizing future aeronautical development. Therefore, CLT asks the FAA to consider strengthening and clarifying existing practices and policies in lieu of enacting a new Policy.

If the FAA does move forward, CLT asks the FAA to modify its Policy to explicitly acknowledge that airports' non-aeronautical land development programs fulfill an important airport purpose not requiring FAA consent or approval beyond the provisions of Section 163. The FAA has, we hope inadvertently, narrowed the distinction between "non-aeronautical" and "airport purposes," suggesting that only aeronautical land can serve an airport purpose. Any land the airport owns could, in theory, be used for an aeronautical purpose at some point in the future but the interim use designation does not solve the practical problems that the Policy could cause. The FAA should continue to support the practice of airports compatibly developing non-aeronautical land without creating major hurdles to accomplishing a mutually beneficial goal.

Non-aeronautical development enhances airport purposes in a broader sense in multiple ways. First, airports are, of course, required to be self-sustaining enterprises and generating non-aeronautical revenue on our property is a critical part of CLT's continuing success. Second, we seek to protect our community and the airport itself by ensuring compatible development, even when not on designated noise buffer land. Third, such development often also provides passengers with needed amenities.

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Should the FAA proceed with requiring review of non-aeronautical land use not otherwise subject to an approval process under Section 163, CLT would ask for additional clarity on the practicalities of the Policy. First, CLT would ask that the FAA be required to turn around approvals within a specified (and short) time period. Commercial development is a time-sensitive endeavor and airports need to be able to accurately communicate requirements and time frames. Secondly, CLT would ask for certainty that we not have to ask for approval for every extension; rather, when the FAA evaluates a lease, it ought to look beyond the initial term to the maximum length of the lease possible on its face. Third, CLT would ask for additional description of the considerations the FAA would use in determining a primary purpose for Mixed Use land and in determining whether to consent to a requested usage. Finally, CLT would ask that land currently designated and approved by the FAA as non-aeronautical on the Airport Layout Plan (ALP) be deemed to comply with the Policy.

We look forward to the FAA's review and response to our comments and those of other airports and stakeholders.

Sincerely,

A handwritten signature in black ink that reads "Haley H. Gentry". The signature is written in a cursive, flowing style.

Haley H. Gentry
Chief Executive Officer