



AIRPORT LAYOUT PLAN (ALP) NARRATIVE REPORT WORKING PAPER #4: BKL CLOSURE ALTERNATIVE

Burke Lakefront Airport
Cleveland Ohio

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REPORT REVISIONS

Revision 1 (November 2022)

- Added an Executive Summary

Revision 2 (March 2024)

- Updated Opinion of Probable Construction Costs to Demolish BKL and added Attachment C
- Updated Unamortized Grant Obligations

EXECUTIVE SUMMARY

This airport closure alternative study supplements the Airport Layout Plan (ALP) narrative report by evaluating the Federal Aviation Administration (FAA) requirements to close Burke Lakefront Airport (BKL). The goal of this analysis is not to provide a recommendation on whether the City of Cleveland (Airport Sponsor) should or should not close the airport but rather an overview of the requirements, potential financial or legal implications, and its effect on its stakeholders. Closing of a public-use federally obligated airport is possible, but the process is complicated as the City has accepted federal funds to develop the airport and keep it operating safely. If the City of Cleveland decides to close BKL, one of the following three (3) options may be selected as the preferred method of closing:

- **Option 1: Wait Out Grant Obligations:** Under this option, the city would defer closure until the federal grant obligations expire in 2036 and ODOT, Office of Aviation assurances in 2039. At that point, the city would provide a 30-day closure notice to FAA. After grant obligations have expired, only a FAA notice to close is required and not “approval”. An airport must remain open perpetually and still needs FAA release approval if it has accepted federal grants for land acquisition. However, a review of the grant history indicates no federal grants were used for the purposes of fee-simple acquisition of real property and no surplus property was granted for airport use. The challenges to this option are the city would have to maintain the airport without federal money through 2036.
- **Option 2: Apply to FAA to close BKL now:** According to FAA Order 5190.6B, Section 22.20, an airport sponsor may request the release of obligations for an entire airport; however, the FAA Associate Administrator for Airports (ARP-1) concurrence is required before granting any release that would enable the disposal of an entire airport for non-aviation purposes. In addition, each request to release an entire airport is considered by ARP-1 on a case-by-case basis and at the complete discretion of ARP-1. Some of the constraints to applying now for closure is proving to the FAA there is a net benefit to aviation by closing BKL. The City would be required to pay unamortized amounts of outstanding federal grant obligations over \$7.9M and state grants in the amount of \$1.5M.

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- **Option 3: Federal Legislation:** Pursuing federal legislation through the U.S. Congress can be a means to bypass FAA requirements to close an airport. Working with the legislative branch of the government, legislation can be passed directing the FAA to close the Airport. Although this may seem like the quickest route to close an airport, it does require substantial lobbying to elected representatives, the legislation would have to be introduced and selected for a vote, and lastly, it would need to pass.

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Several advantages and disadvantages are presented in Section 1.8 of the report and are summarized below:

Advantages of Closing BKL

1. **Allows the Port Authority to operate the Confined Disposal Facility (CDF) Autonomously:** According to the Cleveland-Cuyahoga County Port Authority (Port Authority), the long-term operation of the CDFs within the BKL airport property limits is unsustainable, specifically with the US Army Corp of Engineers (USACE) wanting to establish a multi-year agreement with the Port to accept dredged material from the Cuyahoga River and harbor. A BKL closure would allow the Port Authority and USACE to operate the CDFs without FAA oversight and would allow both entities to expand their CDFs, which are currently limited to airport airspace and land use restrictions.
2. **Allows City to develop portions of BKL into alternate land use:** Closing the airport would provide the city an opportunity to expand the ongoing lakefront development in non-CDF areas. For years, proponents for closing BKL have called for the re-development of the Airport into recreation areas (parks), housing, and/or commercial mixed-use development. Any new development would have to consider the ongoing dredge, sediment, and processing facilities of the CDF that would be adjacent to any new development. Any future development would be costly, given that BKL is built on submerged lands constructed by dredged material and solid waste.
3. **Removal of BKL operating loss:** According to financial data provided by the city, BKL records an average annual loss of approximately \$900,000. These net losses at BKL are included as an expense line item in the calculation for the commercial airline rates and charges currently operating at CLE. Removing the \$900,000 BKL operating loss from those calculations could lower the cost per enplaned passenger at CLE.

Disadvantages to Closing BKL

1. **Reimbursements to FAA & ODOT:** If the City decides to close BKL and apply for closure in 2023 (Option 2), approximately \$9.4 million would have to be paid back to the FAA and ODOT.
2. **Economic impact of closing:** There are multiple businesses located at BKL, both aeronautical and non-aeronautical that would be impacted by BKL closing. The two main aeronautical tenants, Signature and Aitheras, employ 18 and 35, respectively. Numerous entities lease space from Signature’s hangars, including organ transplant companies, local television station helicopters, Cleveland Clinic and University Hospital emergency helicopter services, and other commercial/charter and noncommercial aviation operators.

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Presumably, much of this activity would relocate to CLE, CGF, or other airports outside the city, but some may simply cease to exist.

3. **On-going maintenance responsibility:** The City of Cleveland would be responsible for the repair and maintenance of BKL without federal and/or state assistance throughout the legal challenges and FAA approvals, until 2036 if waiting out grant obligations.
4. **Signature lease buy-out:** In 2016, the FBO (Signature Flight Support) negotiated a ground lease and constructed a 6,000-square-foot executive terminal, a 20,000-square-foot hangar, and a new fuel farm. These capital costs, according to Signature, were approximately \$16.5 million.

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1.0 BKL CLOSURE ALTERNATIVE EVALUATION

This airport closure alternative study supplements the Airport Layout Plan (ALP) narrative report by evaluating the Federal Aviation Administration (FAA) requirements to close Burke Lakefront Airport (BKL or the Airport) if chosen as the preferred alternative. The following analysis takes into consideration guidance on grant assurances and federal obligations provided in FAA Order 5100.38D, Change 1, *Airport Improvement Program Handbook*. In addition, the *Airport Compliance Manual* (FAA Order 5190.6B) was used to review FAA guidance on the requirements, steps, and feasibility of closing an airport. The goal of this analysis is not to provide a recommendation on whether the City of Cleveland (Airport Sponsor) should or should not close the airport but rather an overview of the requirements, potential financial or legal implications, and its effect on its stakeholders. In pursuance of an airport closure, the FAA's primary concern is proper documentation/analysis of how an airport closure would provide a net benefit to the aviation community. If selected as the preferred alternative, this report could be used as the first step in the process if the City of Cleveland chooses to proceed and begin the process to close BKL.

To evaluate the potential benefits/implications of closing BKL, the following tasks were performed:

- Stakeholder interviews were conducted to document the significance of BKL to their existing and future operation, in comparison to an alternate airport.
- Review of other successful or unsuccessful airport closures
- Evaluation of nearby alternative airports that could support activity from BKL given facility availability and expansion potential
- Review of FAA grant history and federal and/or state obligations related to BKL
- Financial conditions and implications

1.1 BKL'S ROLE IN THE AVIATION SYSTEM

BKL is located along Route 2 in Cleveland, Ohio on the shore of Lake Erie. BKL is in proximity to major business centers, making this airport an active general aviation facility serving the entire Northeast Ohio region. The service from this airport was classified in the 2023-2027 *National Plan of Integrated Airport Systems* (NPIAS) Report as a Regional General Aviation airport. BKL plays a role as a reliever airport for the greater Northern Ohio region and Cleveland Hopkins International Airport (CLE), as well as providing service for multiple medical transport operations.

According to the FAA Terminal Area Forecasts (TAF), BKL had a total of 36,964 operations in 2021, made up of a diverse fleet mix of General Aviation (GA) activity. GA consists of many types of users; however, the activity at BKL has a high level of corporate jet activity, which demonstrates that BKL activity is tied to serving business users. In addition to business and corporate activity, professional sports teams use BKL (visiting Major League Baseball and National Basketball Association teams) to fly in and out of Cleveland for games on larger commercial service aircraft, including Boeing 737s, 757, and Airbus 319s. BKL is also used for medical transport flights and organ transportation for local hospitals such as the Cleveland Clinic and University Hospitals (Aitheras, Aery Aviation). BKL also supports flight schools training pilots on single-engine piston aircraft. Ultimate Air launched commercial service from BKL 2015 with Cleveland to Cincinnati flights 5 days a week. Before the pandemic, Ultimate had plans to increase the route to three times daily in 2020. Ultimate eventually shut down operations in March 2020 but restarted in July 2020 only to pause once again in September 2020. In April 2021, Ultimate restarted service to Cincinnati but then paused service as of December 2021 and as of October 2022 has not

returned. Finally, BKL is home to the Cleveland National Air Show, which takes place for three days every Labor Day weekend.

1.1.1 Confined Disposal Facilities

Operating as both a neighbor and a tenant, Confined Disposal Facilities (CDFs) are located on obligated airport property [REDACTED] TRADE SECRET [REDACTED]. A CDF is a technology in which dredged material is placed inside perimeter dikes built up above the water surface level. This technology provides more protection to the adjacent surface water as any contaminated material is confined. The dredged material at BKL comes from the Cuyahoga River. The dredging normally occurs in the fall and the spring to maintain the river and Cleveland harbor as a navigable waterway. [REDACTED] ATTY WORK PROD [REDACTED]

The Cleveland-Cuyahoga Port Authority (Port Authority) currently operates the northern half of CDF 9 and all of CDF 12. The U.S. Army of Engineers (USACE), Buffalo District operates and maintains CDF 10B, and CDF 13 is closed.

Figure 1-1. Existing Confined Disposal Facilities



1.2 REVIEW OF PAST AIRPORT CLOSURES

This task provided a baseline understanding of recent successful and unsuccessful public airport closures. The closure of an airport is extremely rare, so a review of historical events was used to supplement guidance in FAA Order 5190.6B. Some challenges to closing an airport include legal implications, user opposition, and logistics involved with transferring aeronautical activity from one airport to another. A review of recent airport closures provided an understanding of both the pros and cons of closing an airport and the potential challenges that may occur if this becomes the City's preferred alternative. The following airports were reviewed to document how/why the airport initiated an airport closure, timeframe, challenges, and disposition:

- Richards-Gebaur Memorial Airport, Kansas City, MO
- Meigs Field Airport, Chicago, IL
- Blue Ash Airport, Cincinnati, OH
- St. Clair Airport, Kansas City, MO
- Kent State University Airport, Stow, OH
- East Hampton Airport, East Hampton, NY

1.2.1 Richards-Gebaur Memorial Airport, Kansas City, MO

Located in Kansas City, the Grandview Airfield was constructed in 1941 on land owned by the City of Kansas City, MO. In 1955, the city transferred the property to the United States, which the U.S. Air Force used as a military base until 1976 when it was deactivated.¹ In 1985, the United States conveyed the airport land back to the city via the Surplus Property Act. This conveyance required the city to use the property as a public use airport, and it established the Richards-Gebaur Airport. Between 1986-1994, the city accepted \$12 million in federal Airport Improvement Program (AIP) funds for airport development. Each grant required the acceptance of grant assurances that the airport would be available to the public for aeronautical use. Between 1983 and 1997, the City of Kansas City experienced an \$18 million operating deficit at Richards-Gebaur Airport. Following this loss, the city submitted a request to the FAA to close the airport and pursue redeveloping the land. In 1998, the FAA approved a plan to close the airport, and the city closed Richards-Gebaur Airport in 1999. The city and the FAA agreed to a memorandum of agreement which required the city to deposit \$5 million into an escrow account to be dispersed by the FAA for federally eligible aviation improvement projects in the Kansas City area. The city also agreed that for 20 years, it would deposit all net proceeds from the anticipated lease of the airport to be used at other general aviation airports.² Today, the former airport is used by Kansas City Southern Railroad. Several businesses are removing the old runway and facilities to build a large truck-to-rail freight center with above-ground and underground storage.³

1.2.2 Merrill C. Meigs Field Airport, Chicago, IL

Merrill C. Meigs Field Airport, located in downtown Chicago adjacent to Lake Michigan, operated from December 1948 until March 2003.⁴ In the 1970s, Meigs Field operated as a critical facility for the aeromedical transport of patients and organs to downtown hospitals as medical transportation technology modernized. The Chicago Department of Aviation operated the Main Terminal Building. Former Chicago Mayor, Richard M. Daley, forced the closing of Meigs in 2003 by ordering the overnight bulldozing of its runway without notice to the FAA. While aviation enthusiasts and commentators rejected the decision, the supporters of Mayor Daley believed it was in the city's best interest for the land to be a park.

The FAA fined the city \$33,000 for closing an airport with a charted instrument approach without giving the required 30-day notice.⁵ In 2006, the city dropped all legal appeals and agreed to pay the \$33,000 fine and \$1 million in FAA AIP funds. The FAA initially held that the city improperly used \$1.5 million of AIP funds to demolish Meigs and threatened to impose up to triple the amount

¹ *Friends of Richards-Gebaur Airport v. F.A.A.*, 251 F.3d 1178 (8th Cir. 2001) Retrieved from <https://casetext.com/case/friends-of-richards-gebaur-airport-v-faa>.

² *Friends of Richards-Gebaur Airport v. F.A.A.*, 251 F.3d 1178 (8th Cir. 2001) Retrieved from <https://casetext.com/case/friends-of-richards-gebaur-airport-v-faa>.

³ Hubbard, S. (2008 November 16). *Kansas City Business Journal*. American City Business Journal. Retrieved from <https://www.bizjournals.com/kansascity/stories/2008/11/17/focus23.html>.

⁴ Freeman, P. (2022, June 22). *Meigs Field*. American Aviation Historical Society. Retrieved from http://www.airfields-freeman.com/IL/Airfields_IL_Chicago_C.htm#meigs.

⁵ U.S. DOT/FAA. (2004, March). *Revocation of Class D Airspace Area*. Federal Register: Daily Journal of the United States Government. Retrieved from <https://www.federalregister.gov/documents/2004/03/26/04-6861/revocation-of-class-d-airspace-area-chicago-il>.

(\$4.5 million) in penalties.⁶ The city claimed that some of the money was legitimately spent on environmental cleanup at the site, and the FAA dropped the penalty. The city amassed more than \$500,000 in legal fees during two years of legal battles. Today, the site where Merrill C. Meigs Field Airport once stood is a public park for the city.

1.2.3 Cincinnati–Blue Ash Airport, Cincinnati, OH

Established in 1921 as a dirt runway airmail route, this airfield underwent several names and ownership transitions. The private-use airport was dedicated as the Watson Field Airport in 1928, handling operations between Cleveland, Ohio, and Louisville, Kentucky.⁷ After World War II, the strip was sold to the City of Cincinnati and named the Blue Ash Airport. Following a flood of the Lunken Airport, federal funds were granted to the Greater Cincinnati Airport (now CVG), which began providing service in the 1950s. For the next 30 years, the Blue Ash Airport and property use would have several failed plans towards expanding operations and facilities. Development plans were hampered by community opposition, politics, and the City of Cincinnati's decision not to accept federal funding. The original field of the Blue Ash Airport had approximately 1,400 acres of land. However, after zoning was developed in the area, the City of Cincinnati decided additional monetary ventures could be pursued with the undeveloped airport land.⁸ Some property sections were used for industrial development and an 18-hole golf course. The remaining property, 130 acres of airfield, was sold to the City of Blue Ash in 2006 in an agreement for \$37.5 million over 30 years.⁹ The agreement specified that Blue Ash would commit up to \$2 million in matching funds to the FAA grants received by the City of Cincinnati. Should the City of Cincinnati not receive the required \$10 million in FAA funds requested, the city would have the option of closing the airport. Maintaining operations at this airfield fell short in 2012 as the City of Blue Ash acknowledged that it could not afford to reconfigure the airfield and keep it operational. The City of Cincinnati was also interested in improving other regional airports. In 2017, the FAA recognized that the city is no longer contractually obligated to continue operating this airport, and the airport properly filed a 30-Day notice.¹⁰ Today, the area houses commercial buildings and a golf course, and it is still under further development towards additional public use spaces.¹¹ The airport officially closed in 2012.

⁶ U.S. DOT/FAA. (2004, March). Revocation of Class D Airspace Area. Federal Register: Daily Journal of the United States Government. Retrieved from <https://www.federalregister.gov/documents/2004/03/26/04-6861/revocation-of-class-d-airspace-area-chicago-il>.

⁷ Gertler, J. (2012, January). "Early Aviators-Hugh Watson". Retrieved from <https://earlyaviators.com/ewatson.html>.

⁸ Blue Ash Airport Park Master Plan. (2012, July). Retrieved from https://web.archive.org/web/20120716220249/http://www.blueash.com/filestorage/79/Blue_Ash_Airport_Park_Master_Plan_2012.pdf.

⁹ Osborne, K. (2005, July). "City Shops an Airfield". The Cincinnati Post.

¹⁰ U.S. DOT/FAA. (2012, September). Permanent Closure of Cincinnati Blue Ash Airport. Federal Register: Daily Journal of the United States Government. Retrieved by <https://www.federalregister.gov/documents/2012/09/11/2012-22255/permanent-closure-of-cincinnati-blue-ash-airport>.

¹¹ City of Cincinnati. (2016, December). Airport Property Redevelopment. Clean Ohio Revitalization Fund Application. Retrieved from <https://web.archive.org/web/20140101193252/http://www.cincinnati-oh.gov/dote/cache/file/4425D4A5-2720-4C6F-87B238C633654A28.pdf>.

1.2.4 St. Clair Regional Airport – Kansas City, MO

The St. Clair Regional Airport was built in the 1960s through the efforts of former World War II pilots and other aviation enthusiasts.¹² The development of the airport was paid for with a mix of federal, city, and private funds. This non-towered, general aviation airport consisted of approximately 79 acres and had six based aircraft. In the late 1990s, maintaining the airport began to cost the city \$30,000 to \$50,000 a year. The airport was located at the intersection of Missouri Highway 47 and Interstate 44, making the land valuable for retail and other developments that could expand the local tax base. Since the St. Clair Regional Airport was federally obligated, the city had to repay more than \$760,000 in federal grants used to pay for improvements. The FAA recognized that the City of St. Clair met the federal grant payback requirement and gave the required 30-day notice of closure in 2017.¹³

1.2.5 Kent State University Airport – Stow, OH

The Stow Airfield was constructed in 1920 and, in 1942, became part of Kent State University. This airport consists of 320 acres, one paved 4,000' x 60' runway, parallel taxiway, medium intensity runway and taxiway lighting, terminal building, fuel farm, 14 T-hangars, community hangar, maintenance hangar, and an aircraft parking area. As Master Plan Study in 2006 did include one alternative to close of Kent State University Airport (1G3) and the transfer of operations to Portage County Regional Airport (POV). However, the study concluded that the financial gain from redeveloping and constructing adequate facilities at POV would be difficult. Since then, the University has invested in 1G3 and the airport remains open and a viable part of the University flight training program.

1.2.6 East Hampton Airport – East Hampton, NY

East Hampton Airport (HTO) is a general aviation airport in the NPIAS. The Town of East Hampton has owned and operated HTO for several decades. HTO previously received federal grants to aid airport development and was subject to statutory grant assurances. The Town of East Hampton wanted to restrict what type of aircraft could operate at the facility, which the FAA prohibits without approval under 14 CFR 161. The FAA provided the town with four options: 1) negotiate an agreement for mandatory restrictions on aircraft per Part 161; 2) close the airport after the grant assurances expire, which was September 2021; 3) close the airport after assurances expire and open it as a private airport; and 4) continue to operate the airport as a public use airport. The town elected to close the airport and re-open it as a private facility so it could restrict access. On January 20, 2022, and amended on February 17, 2022, the Town of East Hampton notified the FAA that it sought to transition HTO on May 17, 2022 from a public-use airport to a private-use airport. The FAA recognized that HTO met the requirements and accepted the transition to a private-use airport.¹⁴ On May 19, 2022, HTO became East Hampton Town Airport (JPX), a private

¹² Freeman, P. (2022, June). St. Clair Municipal Airport and Regional Airport. Missouri Aviation Historical Society. Retrieved from http://www.airfields-freeman.com/MO/Airfields_MO_SE.htm#stclair2.

¹³ U.S. DOT/FAA. (2012, September). Permanent Closure for St. Clair Missouri. Federal Register: Daily Journal of the United States Government. Retrieved from <https://www.federalregister.gov/documents/2017/10/13/2017-22231/notice-of-release-and-permanent-closure-of-the-st-clair-regional-airport-st-clair-missouri>.

¹⁴ U.S. DOT/FAA. (2022, March). Permanent Closure of the Public-Use of East Hampton Airport. Federal Register: Daily Journal of the United States Government. Retrieved from <https://www.federalregister.gov/documents/2022/04/15/2022-08059/permanent-closure-of-the-public-use-of-east-hampton-airport>.

facility. Immediately following this change, three separate court orders were issued in the New York Supreme Court, Suffolk County, filed by airport users. The temporary restraining orders (TRO) stated that the Town of East Hampton is temporarily prohibited from closing HTO and becoming private.

After the three TROs were issued, and to fully comply with the orders, the Town of East Hampton submitted a request to the FAA informing it that the town was ordered to delay the closure of HTO and requested direction and assistance on the next steps it should take. The FAA responded that they could not safely reverse the deactivation process. The HTO location identifier ceased to exist on May 19, 2022; the previous airspace for HTO did not exist; the existing instrument procedures were decommissioned; and a letter of agreement was already executed between the town and the FAA for the existing airport traffic control tower (ATCT). For those reasons, the FAA recommended continuing to operate as a private airfield. In October 2022, after various lawsuits by existing tenants, and aviation organizations like the National Business Aviation Association (NBAA), the courts ruled the town could not close or privatize the airport. It was also estimated the Town spent over \$2.5M just in legal fees to close and re-open as a private facility.

It is noted that as compared to the six airports discussed above, BKL has a substantially more capable airfield, can accommodate any size of general aviation aircraft along with some commercial aircraft, and maintains a commercial operating certificate to support scheduled airline activity. The closure of BKL could therefore be considered of greater significance than any of these other airport closure activities.

1.3 STAKEHOLDER INTERVIEWS

Stakeholder interviews were conducted to document BKL's role in the aviation system, the northern Ohio region, and the City of Cleveland. These interviews were conducted to gauge a response to a potential closure of the airport. Major findings from the stakeholder interviews are summarized below.

- **Cleveland-Cuyahoga Port Authority (Port Authority):** The Port Authority is the sponsor for CDFs 9 and 12, both located on airport property. Their location continues to limit the Port Authority's ability to enter into long-term agreements with the U.S. Army Corp of Engineers (USACE) to accept dredge material in the future. Because the Port Authority's operation is "on-airport" property, they must submit airspace approvals and construction safety phasing plans and are subject to FAA approvals. The Port Authority would like its CDF operations to be separate from the Airport with dedicated access. Currently, access to CDF 12 requires utilizing the airport-controlled eastern vehicle service road, and certain construction activity takes place within the Runway Protection Zones (RPZ). The closure of BKL could provide additional CDF capacity, would reduce operating costs, and would increase certainty for maritime commerce.
- **US Army Corp of Engineers (USACE):** The USACE currently maintains CDF 10B, which as of October 2022, will reach capacity within 18 months (2 more dredge cycles). Located adjacent to BKL, the CDF 10B capacity is currently limited due to airspace height requirements. Like the Port Authority's position, a closure of BKL would present opportunities to expand operations and increase capacity.
- **Ohio Department of Transportation (ODOT) Office of Aviation:** ODOT supports public use airports throughout the state with funding and administrative support. Pursuant to ODOT's Standard Assurances, which the City of Cleveland agreed to when it accepts state grants, the City would have to return those funds to ODOT, if BKL would close. According to ODOT, Standard Assurances 9 and 10 require an airport to pay back the

total amount of ODOT funds received either for facilities or equipment if within 20 years from the date of the grant contract.¹⁵ According to ODOT, the City received \$1,468,091 from 2018-2019.

- Ohio Department of National Resources (DNR):** The Assistant Chief Office of Coastal Management stated that the existing Standard Lease Line (SLL) expires in 2042 and currently only covers the northern side of BKL. The SLL gives the City the right to occupy territory on Lake Erie. Uses allowed are airport expansion, port development, and CDF operations. Any alternative development of the airport would require coordination with DNR, and a consent to sublease would be required if proposed land use is not one of the permitted uses. DNR did not provide a position on the airport's closure.
- Signature Flight Support (Signature):** Signature is the primary tenant at BKL, providing fixed based operator (FBO) services, including hangar storage, aircraft maintenance, and fueling. Signature is currently leasing both corporate hangars from the city, in addition to their ground lease for their FBO facility and fuel farm. Signature currently has a master lease covering the ground lease for their new FBO facility, the fuel farm, and the corporate hangar located adjacent to their FBO facility, which expires in 2043. At this time, the new FBO would revert to the city at the end of the lease terms. In 2016, Signature invested approximately \$16.5M by constructing the new FBO facility and fuel farm. The second hangar is also leased by Signature on a separate lease, which expires in 2022. Signature stated that they served/serviced over 900 companies over a 12-month period and their heavy investment in BKL was attributed to an increase in itinerant activity at the Airport. In addition, Signature stated Aery Aviation was a new tenant subleasing space, providing organ and physician transport for the Cleveland Clinic. TRADE SECRET

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- Aitheras Aviation Group (Aitheras):** Aitheras has seven based aircraft, 35 employees, and leases the 15,000-square-foot hangar and adjacent 6,000 square feet of office space at BKL on Signature's leasehold. Aitheras provides FAR Part 135 charter service, including air ambulance (medical air ambulance, organ harvest transport, physician transport, etc.) for University Hospitals (UH) and Cleveland Clinic, maintenance, and traditional charter. During BKL closure discussions, Aitheras discussed airports near BKL that could potentially support their operation. They stated that Cuyahoga County Airport (CGF) would be comparable as it has an instrument landing system (ILS) and an aircraft rescue and firefighting (ARFF) facility; however, they would have to evaluate how a shorter runway and weather at CGF may impact their operations. They currently conduct approximately 200 operations a year but stated their activity would increase significantly as they are adding another aircraft to their fleet at BKL for organ transplant.
- Cleveland National Air Show:** The Cleveland National Air Show, Inc. (Air Show) is a financially self-sufficient 501 (c) (4) nonprofit corporation. The volunteer Board of Trustees comprises 35 local businesses and civic and community leaders. The Air Show typically entertains 60,000-100,000 Clevelanders and visitors annually over the three-day Labor Day weekend event. According to the Air Show, the last economic impact study was completed in 2011; however, the overall impact on the region at that time was just over

¹⁵ Ohio Department of Transportation. (2022, September). Ohio Airport Grant Program For General Aviation Airports. Retrieved from <https://www.transportation.ohio.gov/static/Programs/Aviation/Grant-Program/Direct-Grant/Appendix%20D%20-%20Standard%20Assurances.pdf>.

\$7M, which is expected to be over \$10M today. The 2022 ticketing database included spectators from 44 different states and six foreign countries. In addition to the hotel rooms purchased by the spectators, the Air Show generates downtown hotel nights via room blocks for 600-750 room nights. According to the Air Show personnel, they could not relocate the three-day weekend to an area airport given the amount of sterile air space required for the acrobatic performances, most of which is supplied by the open water of Lake Erie. [REDACTED]

TRADE SECRET

In addition, interviews were conducted with identified alternative airports that could potentially serve activity from BKL, including Cuyahoga County Airport (CGF), Lake County Executive Airport (LNN), Kent State University Airport (1G3), Medina Municipal Airport (1G5), Cleveland-Hopkins International Airport (CLE), and Lorain County Regional (LPR). Alternative airport interviews were important to identify alternate facility availability, operational requirements, and future development potential. An inventory of operational nav aids and facility availability is further discussed in the Surplus Airport Capacity Evaluation section of this report. A summary of discussions with alternative airports is included below.

- **Cuyahoga County Airport (CGF):** The CGF airport manager stated that there is currently a waiting list for hangars; however, some of the existing hangar infrastructure needs rehabilitation. There is currently no waiting list for tie-downs. Approximately 20,000 square feet for future hangar space is available for development on the north side of the airport; however, future development would have to mitigate potential wetlands in the area. The airport does have ample space on the south side of the runway, but development would be more expensive as there is no south-side taxiway infrastructure. The relocation of Taxiway 'A' (full-length parallel taxiway on the north side) is the focus going forward to provide standard runway-taxiway separation. Over the last five years, the airport has undergone substantial improvements by reconstructing its 5,502-foot runway, improving the safety areas beyond the runway ends, and reconstructing 20,000 square yards of existing apron pavement. CGF also has a voluntary noise abatement program between 11:00 PM and 7:00 AM. Although CGF has important airfield infrastructure for corporate GA (runway length, ILS, approach lights), the lack of available hangar space would be an issue for any potential BKL relocations.
- **Lake County Executive Airport (LNN):** The airport manager for LNN stated that hangars are at capacity and the airport currently has a waiting list. The facility can accommodate transient operations but does not have the current capacity to absorb all BKL operations and based aircraft. Upcoming development for LNN will include additional T-hangars to satisfy the current waiting list and improving taxiway geometry. Currently, LNN's priority focus and goal at the airport is to meet FAA design standards and attract more corporate activity. LNN's development goals include facility development on the north side of the airport and a parallel taxiway.
- **Kent State University Airport (1G3):** The airport manager of 1G3 stated that the airport's primary focus was supporting Kent State University's training activity. They are currently planning for additional hangars, but their focus would be on academia and flight training. Airport management also stated they were at capacity for operations at the one runway airport. With almost 73,000 operations a year and limited hangar and ramp space, 1G3 is limited in absorbing BKL GA activity.
- **Medina Municipal Airport (1G5):** The 1G5 airport can handle the general activity of aircraft that can land on their runway (3,556'); however, there is no availability for aircraft storage in the hangars. Short-term tie-downs are available and managed by the FBO, but

the apron and tie-down space is limited. 1G5 could handle additional general aviation operations on their existing runways, however there is no availability for aircraft storage in the existing hangars. The Airport manager identified that the FAA has approved federal funds for updating taxiway and runway lighting.

- **Cleveland-Hopkins International Airport (CLE):** No interview was conducted with CLE since the City of Cleveland operates both CLE and BKL. An inventory of facilities available and future development initiative is included in the Alternative Airport Capacity Analysis section of the recently updated Master Plan. Overall, CLE can accommodate the operations of the large corporate aircraft that use BKL currently; however, like other airports, existing surplus hangar space is not currently available at CLE.
- **Lorain County Regional (LPR):** According to airport management, LPR has no vacant hangars or tie-downs, with a waiting list for both. Accommodating BKL's jet operations or based aircraft was not something they could confirm immediately. Additional hangar space is welcomed and needed; however, any hangar development would have to be completed by others as the County is not in the position to construct hangars themselves and enter into ground leases. However, LPR does have ample room for development of corporate hangars if constructed by others.

1.4 SURPLUS AIRPORT CAPACITY EVALUATION

If BKL were to close, the City of Cleveland would have to show that closing BKL would provide a net benefit to the civil aviation system. Nearby airports were identified that could potentially support aeronautical users and activity from BKL. These airports identified have the most potential to be alternate/substitute airports based on their proximity to users, airfield features, hangar and apron/tie-down availability, and available property for development:

- Cuyahoga County Airport (CGF)
- Cleveland-Hopkins International Airport (CLE)
- Lake County Executive Airport (LNN)
- Lorain County Regional (LPR)
- Kent State University Airport (1G3)
- Medina Municipal Airport (1G5)

1.4.1 Geographic Location of Users

The first step in determining which alternate airport a BKL operator could potentially use is to determine the geographic location of the user's home or business. This information was primarily derived using the aircraft identification number (N-Number) and address used to register the aircraft. For based aircraft at BKL, some stakeholder interviews were conducted to document proximity to operators' recreational and/or business activities and facility requirements. For itinerant users (i.e., users utilizing the airport but not based at BKL), operations data were examined for the peak month (July 2021). Information such as the date of arrival or departure, aircraft identification number, and type of aircraft was documented for 782 operations at the airport for July 2021. Any itinerant user that had a registered address within a 4-hour drive of BKL was added to the based aircraft user list to form the geographic location of BKL users.

Figure 1-1 illustrates the geographic location of BKL users (based and itinerant) and the location of alternate airports, as noted above.

1.4.2 Alternative Airport Capacity Analysis

Once the geographic locations of BKL's users were documented, the next step was to determine the available airfield capacity and storage availability (i.e., hangars and parking aprons) for alternate airports mentioned above. Although these airports may have hangar availability, land for development, or a few FBO operations, most airport reports recognize that additional studies such as site selection, ALPs, and environmental studies could be necessary before a definite recommendation can be made. Below is a summary of the inventory and existing conditions at the alternative airports is discussed below.

Cuyahoga County Airport (CGF)

Cuyahoga County Airport (CGF) is located approximately 20 miles to the northeast of BKL on 640 acres of property. The CGF Airport has one runway that is 5,502' by 100' with an ILS approach to Runway 24. A Pavement Condition Index (PCI) map prepared by ODOT identifies the pavement conditions and other numerous improvements to the runway, safety areas, and apron areas have been conducted. CGF currently has a voluntary noise abatement program between 11:00 PM and 7:00 AM. The apron space available is about 700,000 square feet (Sq. Ft.) with a dedicated tie-down area to the southwest of the apron. CGF has a fire station present at the airport and the Cleveland Jet Center is the primary FBO. CGF airport currently has 247 based aircraft, including one helicopter; and accommodated over 26,000 aviation operations according to the FAA's 2021 Terminal Area Forecast (TAF) Report. There is one heated hangar on-site as well as several tie-downs, however, there is a waitlist for new clients to base here. Interviews with the manager of this airport revealed about 20,000 square feet (two corporate hangar areas) is available for future hangar development. The southside of the runway is relatively open for future development but would come at a considerable cost as the area is lower than the runway elevation and there is no parallel taxiway infrastructure on the south side.

Cleveland-Hopkins International Airport (CLE)

Cleveland-Hopkins International Airport (CLE) is located 17 miles to the southeast of BKL. CLE is a commercial service airport with three runways and approximately 2.5 million square feet of apron space. Runway 6L/24R, Runway 6R/24L, and Runway 28 all provide ILS approaches into CLE during adverse weather conditions. This airport can accommodate large approach category aircraft and handle high-capacity operations. According to the 2020 Master Plan, CLE had over 70,000 operations. This airport also services several other aviation business fronts that require runway usage such as cargo services. CLE has two FBOs offering services to the public. One of the providers, JETS, offers 100LL, Jet A, and Jet A+ fueling services. Atlantic Aviation offers the same fuel options, as well as rental car options and crew lounges. There is no designated heliport at the airport and landing fees are present for all aircraft. CLE operates under Class B airspace, ARFF index C rating, and has approximately 50 Based Aircraft. CLE should be able to accommodate most of the corporate jet activity that utilizes BKL; however, the reason BKL subsidies are a part of the CLE airlines rates and charges is to keep most of the general aviation activity at BKL. According to the CLE Master Plan Update, the FBO has 50,000 square feet of hangar space at CLE, which currently operates at 175% of capacity. This is possible because the aircraft stored in the hangar are highly utilized coming and going on a frequent basis. The FBO at CLE most likely could not accept new tenants until some of the proposed development on the south side of the airport, recommended in the Master Plan, is realized.

Lake County Executive Airport (LNN)

LNN is 18 miles northeast of BKL on approximately 400 acres of property. This airport has two runways and 190,000 square feet of apron space available with 82 based aircraft. Runway 5/23

is 5,028 feet by 100 feet, and Runway 10/28 is 4,272 feet by 100 feet. Additionally, LNN is proposing to add additional T-hangars to satisfy their waitlist and will also focus on constructing a parallel taxiway, which neither runway has. The airport also would like to re-address its public space use and availability. The largest facility on the property is a sports complex repurposing an old aircraft hangar on site, which is used for indoor soccer and hockey. The lease for this property runs out in 2041, and at that point, the airport could convert the facility to a large hangar. This conversion would be a crucial addition for LNN because their current capacity is highly saturated. The airport is open to accommodating corporate jet activity but is limited without a parallel taxiway because jet traffic must have to back taxi on the runway. The FBO at this airport is the Classic Jet Center, a full-service FBO that operates some leased tie-down spaces on the property. LNN also has two fire stations within the property's boundaries.

Lorain County Regional (LPR)

LPR is located 29 miles southwest of BKL. This facility is owned by Lorain County and operated and maintained by MRK Aviation, the FBO. There is one runway (Runway 7/25, which is 5,002 feet by 100 feet with an ILS approach to Runway 7) and 460,000 square feet of general aviation apron and tie-down space. LPR accommodated approximately 15,000 aircraft operations in 2020. The airport has 15 hangars, 8 private tenants, and approximately 84 based aircraft. The current capacity at LPR can accommodate more jet activity, with ample acreage to develop facilities around the airport. According to the ODOT PCI (2021), LPR runways and taxiways are in good condition. Although several private tenants and hangars are available, the airport has only one FBO. MRK Aviation services include fueling for 100LL, Jet A, and Jet A+; general maintenance; courtesy car; and pilot supplies with a crew lounge.

Kent State University Airport (1G3)

Kent State Airport is located approximately 29 miles southeast of BKL, with one runway and 158,500 square feet of apron space. Currently, the university airport acts as its own FBO with 40 based aircraft and over 73,000 recorded operations annually. The city recently approved funding to build a shared-use fire station at the airport. Moving forward with airport development and funding, intentions to rehabilitate the current runways, apron, and new hangars are anticipated in the future. However, even though there is projected development at the airport, they will continue to focus on the university's program flight training program. Accommodating potential activity from BKL if it is closed may be difficult due to the amount of existing flight training activity.

Medina Municipal Airport (1G5)

1G5 is located 25 miles south of BKL on 283 acres of property. 1G5 provides short-term tie-down options, but the apron space is the most limited of all the alternative airport options, with approximately 50,000 square feet. 1G5 does not have any existing hangar availability. The FBO, Flight Services, manages the tie-downs and hangars, which both have a waitlist. The closest fire station is within 5 miles of the airport. 1G5 is also the most limited airport with respect to runway length.

Table 1-1 summarizes the alternative airports above by describing the airfield infrastructure and supporting facility availability (i.e., number of runways and length, taxiway system, apron, and hangar space, ATCT availability, etc.).

Table 1-1. Airfield Capacity Summary

Airport	Runway(s)	Runway Dimension (in feet)	Displaced Threshold	Landing Fees	ATCT	Notes
CGF	06 / 24	5,502 x 100	318' / 500'	No	Yes	<ul style="list-style-type: none"> Recently reconstructed 20,000 square yards of apron Corporate hangar space (20,000 square feet) on the north side of the airport; however, could impact wetlands The south side of the runway is open for development; however, no taxiway infrastructure is currently present Approach lights and ILS Taxiway 'A' will be relocated to provide standard runway-taxiway separation Has ability to absorb some corporate GA traffic
CLE	06L / 24R	9,000 x 150	N/A	Yes	Yes	<ul style="list-style-type: none"> Recent Master Plan Update has plans for corporate hangar development on south side. Most likely would only absorb the sports teams that utilize BKL and some additional corporate GA.
	06R / 24L	9,953 x 150	Runway 6R - 1,923 ft			
	10 / 28	6,018 x 150	N/A			
LNN	05 / 23	5,028 x 100	Runway 5 – 428 ft	No*	No	<ul style="list-style-type: none"> Has ability to absorb some corporate GA traffic given runway length No parallel taxiway on either runway Has an existing waiting list for hangars
	10 / 28	4,272 x 100	Runway 28 - 1,124 ft			
LPR	07 / 25	5,002 x 100	N/A	No	No	<ul style="list-style-type: none"> Approach lights and ILS Available room for hangar development
1G3	01 / 19	4,000 x 60	Runway 1 – 53 ft	No*	No	<ul style="list-style-type: none"> Hangar rehabilitation needed
1G5	01 / 19	2,868 x 60	Runway 19 – 737 ft	No	No	<ul style="list-style-type: none"> Smallest apron space available Shortest runway
	09 / 27	3,556 x 75	N/A			

Notes: RWY = Runway; ATC = Airport Traffic Control Tower

*Landing Fees may vary at these locations based on aircraft type and services needed.

Source: Publicly available airport information; FAA Airport 5010, September 2021; CHA 2022

Table 1-2 contains a list of the current BKL based aircraft and itinerant users during July 2021 (peak month) and if the runway at each alternative airport can accommodate these aircraft.

Table 1-2. Runway Capability Summary Table

N Number	Aircraft	Operator	Runway Length Required	CGF	1G3	LNN	LPR	1G5	CLE
N100UJ	Dornier 328-300 Jet	Ultimate JetCharters LLC	4,485 ft	Yes	No	Yes	Yes	No	Yes
N111PA	Helicopter	Preferred Helicopter Serv.		Yes	Yes	Yes	Yes	Yes	Yes
N11UC	Piper PA-32-301	RCHT LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N127ZA	Cessna 550 Citation Bravo	B200 LLC	4,160 ft	Yes	No	Yes	Yes	No	Yes
N1531C	Cirrus SR22	Ramos, Jose L	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N154AV	Piper Cherokee	Daviation Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N204BE	Cessna 172N Skyhawk	Pink Skies Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N208GT	Cirrus SR20	GTI Properties	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N2232E	Cessna 172N Skyhawk	Pink Skies Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N23KM	Beech 58 Baron	R H Phillips Trucking Co Inc	2,300 ft	Yes	Yes	Yes	Yes	Yes	Yes
N2875B	Piper Cherokee	RAS Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N299JW	Cirrus SR22	About Time Aviation	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N356BZ	Embraer ERJ-135LR	Maxus Capital Group LLC	5,774 ft	No	No	No	No	No	Yes
N359SK	Dornier 328-310 Jet	Ultimate JetCharters LLC	4,485 ft	Yes	No	Yes	No	No	Yes
N40447	Piper PA-32R-300	Antares Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N405SP	Cessna 172	Flight Wings	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes

N4649M	Cessna 152	Daviation Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N4889D	Cessna 172N Skyhawk	Pink Skies Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N515GK	Beech E90 King Air	Avintel Mgmt LLC	2,024 ft	Yes	Yes	Yes	Yes	Yes	Yes
N52MG	Piper Aerostar 600	N52MG LLC	3,100 ft	Yes	Yes	Yes	Yes	Yes	Yes
N53491	Cessna 172	Rohl, Larry	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N5481M	Cessna 152	Alpha Wings	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N626TM	Cessna 525 CitationJet	JJS LLC	3,210 ft	Yes	Yes	Yes	Yes	Yes	Yes
N6359C	Piper PA-28-161	RAS Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N6521Q	Cessna 152	Alpha Wings	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N65SQ	Hawker Beechcraft 400XP	Jet Quest LLC	3,650 ft	Yes	No	Yes	Yes	No	Yes
N680AG	Cessna 680	Cronus680 LLC	3,867 ft	Yes	No	Yes	Yes	No	Yes
N690ES	Cessna 560	INT'L Aviation Sales LTD	3,160 ft	Yes	Yes	Yes	Yes	Yes	Yes
N691ES	Cessna 560	INT'L Aviation Sales LTD	3,160 ft	Yes	Yes	Yes	Yes	Yes	Yes
N705CG	Cessna TR182 Turbo Skylane RG	Lewis, Scott M	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N708CG	Socata TBM-699	N708CG LLC	2,153 ft	Yes	Yes	Yes	Yes	Yes	Yes
N714WD	Cessna 152	Daviation Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N736WH	Cessna TR182 Turbo Skylane RG	B & B Island Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N738PM	Cessna 172	Daviation Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N78TT	Rockwell 690B	Cove Pointe Air LLC	1,666 ft	Yes	Yes	Yes	Yes	Yes	Yes

N801MT	Piper PA-32-301	JMM Air LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N821BE	Piper Cherokee	RAS Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N8223B	Piper PA-28RT-201	RAS Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N8333T	Piper PA-28-161	RAS Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N88NS	Grumman A AA-5B	Reidy, Paul	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N89SP	Piper PA-28R-200	Sky's The Limit Flying Club Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N90FX	Bombardier Global Express	FlexJet LLC	6,190 ft	No	Yes	No	No	No	Yes
N919MS	Beech A36 Bonanza	Straits, Mark	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N9311Y	Beech M35 Bonanza	Enea, Donald J	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N94589	Cessna 152	Haverlock Aircraft LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N9609K	Piper PA-28R-200	MDR Rental Corp	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N9685Y	Cessna 152	Daviation Inc	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N969MG	Beech D95A Travel Air	RAS Aviation LLC	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes
N981AG	Citation 560	Amur Eq Finance	3,160 ft	Yes	Yes	Yes	Yes	Yes	Yes
N985AG	Cessna 560XL	Cosmos560 LLC	3,560 ft	Yes	No	Yes	Yes	No	Yes
N9877G	Cessna 172L Skyhawk	Rowse, Larry G	3,200 ft	Yes	Yes	Yes	Yes	Yes	Yes

Source: BKL Operations Data (July 2021); CHA 2022

Table 1-3 identifies the limitations the alternative airports may have with accepting and absorbing the operations and aircraft storage requirements if a BKL a closure occurs. No single airport can adequately absorb all BKL operations or based aircraft.

Table 1-3. Relocation of Based Aircraft/Itinerant Users

Airport	Operations Availability	Operation Limitations	Current Based Aircraft	Fixed Base Operator(s)	Approach Lighting & Navigational Aids	Land Available for Development	Apron Space (Square Feet)*	Hangar & Tie-Down Waitlist
CGF	CGF can accommodate GA corporate operations and would like more business.	N/A	247	(1) Cleveland Jet Center Full-service FBO	HIRL PAPI-4 REIL MALSR	20,000 square feet for hangars are available. CGF would like to develop the south side of the airport.	729,441 Needs apron rehabilitation	Hangars are full and may need updates. Tie-downs have no waitlist.
CLE	Given that CLE is a commercial service airport, the amount of GA operations absorbed would most likely be limited to sports teams.	Landing fees apply to all aircraft Sequencing with commercial aircraft may delay operations	40	(1) Jets FBO Network (2) Atlantic Aviation Full-service FBOs	ALSF-2 HIRL PAPI-4 MALSR / MALSF REIL	Land and reserved areas for future development are shown on ALP.	2,000,000	According to Master Plan facility requirements, the FBO and CLE need additional corporate hangar space
LNN	LNN can accommodate operations.	At/Over Capacity No Parallel Taxiway	82	(1) Classic Jet Center Full-service FBO	MIRL PAPI-4 PAPI-2 REIL	Referring to the ALP, phasing for taxiway work and additional hangars are anticipated.	190,500	Tie-down space is limited. Hangars are at capacity with a waiting list.



LPR	LPR can accommodate transient operations. Ample Apron Space	Not all Jet aircraft can land at maximum weight due to runway length May have problems accommodating high amounts of Jet operations due to facility capacity	83	(1) MRK Aviation Full-service FBO	MALSR HIRL REIL PAPI-4	There is acreage available for new development.	450,000	Most hangars are private tenants with airport ground leases. Both hangars and tie-down are full and have a waitlist.
1G5	1G5 can accommodate transient Aircraft.	Apron space is limited No full-length parallel taxiway	50	(1) Flight Services of Medina Fuel and Lite Services Available	MIRL PAPI-4 REIL	There is land adjacent to current facilities available to be developed but no funding availability.	65,000	Tie-down space is limited, but the hangars are full. Short-term tie-down is available.
1G3	1G3 can accommodate a limited number of piston operations, but its mission is focused on university flight school.	Academia focus 1G3 exceeds 75,000 operations per year	33	(1) FBO University acts as FBO Fuel and Lite Services Available	MIRL REIL VASI-4	Current supporting facilities on the property need rehabilitation before new land development occurs. Drainage concerns are present.	150,000 Needs apron rehabilitation	Hangars are at the end of their useful life. Any updated areas will be used for current academic use. Hangars and tie-downs are full.

*Approximate dimension using Google Earth.

Source: Publicly available airport information; FAA 5010, September 2021; CHA 2022.

If BKL were to close, the activity would likely be split to neighboring airports (based on the type of aircraft and facility offering), such as the alternative airports mentioned in the previous sections. Activity generated by the City’s sports teams, which often use commercial service, would be served best by CLE due to passenger processing ability and proximity to sports arenas. Jet activity generated by BKL’s based aircraft or itinerant users would potentially transfer to airports that could serve jet activity given service offerings (i.e., FBOs, ILS approaches, runway lengths, etc.). The airports that could best serve jet activity from BKL include CLE, CGF, and LPR. Piston aircraft could use any of the alternative airports given their runway length and parking requirements; however, smaller airports that are accustomed to frequent piston aircraft activity, including training activity, such as LNN, 1G3, and 1G5, would work best.

Although, there is adequate airfield capacity at the alternative airports, hangar and tiedown capacity is not currently available to serve displaced users of BKL. As such, a program of hangar and apron development would be necessary at multiple airports to prevent a significant operations impact to current BKL users. Unfortunately, funding for aircraft hangar storage is not generally available or adequate from FAA or ODOT, and thus could be the responsibility of the City of Cleveland.

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1.5 GRANT HISTORY AND LEASE REVIEW

1.5.1 Grant History and Federal Obligations

One potential avenue that could be undertaken to close BKL would be waiting for grant obligations to expire, which would release the Airport from its grant assurances and federal obligations. A prerequisite for receiving federal funds provided by the FAA is the acceptance of grant assurances, which often span 20 years from the acceptance of a grant. However, projects may have varying grant assurance expiration dates based on the useful life of the project as defined by the FAA in Order 5100.38D, Change 1: *Airport Improvement Program Handbook* (AIP Handbook). For example, buildings have a useful life of 40 years, pavement rehabilitation has a useful life of 10 years, and ARFF vehicles have a useful life of 15 years. However, any land/property acquired through federal funds or donation of land does not expire, and obligations last in perpetuity. These grant assurances require that the Airport maintain and operate its facilities safely and efficiently and in accordance with specific conditions outlined in the AIP Handbook.

An assessment of all grants awarded to BKL and the City of Cleveland for the operation of the Airport (as of October 2022) was conducted to determine when federal grants are anticipated to expire, assuming that no additional grants are accepted. Presented in **Table 1-4** is a summary of grants awarded to BKL along with the fiscal year, grant number, total funds received, description, and anticipated year of grant assurance expiration.

Table 1-4. Federal Grant History and Grant Assurance Expiration

Fiscal Year	Grant Number	Total Federal Funds Received	Description	Grant Assurances Expiration
1949	9-33-029-4901	\$100,000	Dike construction and filling of the western side of Area B	1969

1951	9-33-029-5102	\$245,000	Lake Hydraulic fill	1972
1957	9-33-029-5703	\$255,000	Construct and pave taxiways and Runway 6-24	1977
1959	9-33-029-5904	\$300,000	Terminal building construction	1979
1960	9-33-029-6005	\$124,500	Construct ATCT and aircraft parking apron	1980
1960	9-33-029-6106	\$193,230	Construct Aircraft Parking Apron	1980
1963	9-33-029-C407	\$90,000	Construct fire-crash and maintenance building	1983
1965	9-33-029-C608	\$130,293	Extend sewers; aircraft parking apron	1985
1966	9-33-029-D709	\$248,162	Construct, mark, and light Runway 6L-24R, Taxiway A – E	1986
1967	9-33-029-D810	\$48,700	Expand and light connecting taxiway	1987
1968	9-33-029-D911	\$22,189	Extend south aircraft parking apron	1988
1969	9-33-029-D912	\$28,082	Construct and light holding apron - east end	1989
1972	8-39-0022-01	\$159,900	Reconstruct portions of, overlay, sealcoat, and mark parallel taxiway	1992
1979	8-39-0022-02	\$1,440,000	Overlay, mark, and groove runways and taxiways	1999
1982	3-39-0022-01	\$287,845	Overlay holding apron and Taxiway G	1992
1993	3-39-0022-02	\$1,220,508	Install guidance signs and rehabilitate the electrical system for Runway 6R/24L and G	2008
1994	3-39-0022-03	\$839,700	Remove obstructions in approach to Runway 24L and 24R	2014
1998	3-39-0022-04	\$1,496,180	Rehabilitate Runway 6L/24R	2008
2003	3-39-0022-05	\$527,448	Rehabilitate Taxiway	2013
2007	3-39-0022-06	\$497,648	Rehabilitate Apron, Rehabilitate Taxiway	2017
2010	3-39-0022-07	\$146,249	Update Airport Master Plan Study (Phase 1)	2030
2011	3-39-0022-08	\$496,508	Rehabilitate Apron	2021
2012	3-39-0022-09	\$1,021,152	Improve Runway Safety Area [Environmental/Design (#16-19, 21-22)] - 06L/24R	2032

2012	3-39-0022-10	\$734,420	Improve Runway Safety Area [Design (#16-19, 21-22)] - 06L/24R	2032
2012	3-39-0022-11	\$4,779,888	Improve Runway Safety Area [Construction (#16-19, 21-22)] - 06L/24R	2032
2013	3-39-0022-12	\$9,775,388	Improve Runway Safety Area - 06L/24R	2033
2014	3-39-0022-13	\$224,068	Update Airport Master Plan Study	2034
2018	3-39-0022-14	\$263,756	Rehabilitate Taxiway	2028
2020	3-39-0022-15	\$157,000	CARES ¹	2024
2020	3-39-0022-16	\$116,735	Rehabilitate Taxiway	2030
2021	3-39-0022-17	\$705,787	Acquire Aircraft Fire Fighting Vehicle	2036
2021	3-39-0022-18	\$34,162	CRRSA Contract Tower	2025
2021	3-39-0022-19	\$57,000	CRRSA Funds ¹	2025
2021	3-39-0022-20	\$148,000	General ARPA ¹	2025

Note: 1 Per FAA guidance, CARES, CRRSA, and ARPA funds only follow FAA grant assurances if used for airport development projects. However, at a minimum, the grant assurances remain in effect for four years from the date of acceptance of the grant offer, which is consistent with the FAA budget period.

Source: Cleveland Burke Lakefront Airport Grant Information, March 2022; CHA 2022.

After a review of federal grants awarded, no land was explicitly described as acquired by federal donation of surplus land or grant funds. However, the first grant awarded to BKL in 1949 (9-33-029-4901) was \$100,000 in federal funds to construct a dike and fill portions of Lake Erie for the Airport. Regarding the five early grants reviewed, any obligation to the FAA as to the projects included in these grants is beyond the 20-year obligation timeframe; thus, it is understood that they have expired. Noteworthy, these five grants do not describe funds to be used for the purchase of land, which could then obligate the City to the FAA for so long as the Airport is operational and until released from the obligation by the FAA.

Based on the grants awarded after 1949, the last expiration date of the Airport’s grant assurances would be 2036. However, per FAA guidance, CARES, CRRSA, and ARPA funds (COVID Funds) follow FAA grant assurances if used for airport development projects. Once COVID funds are used, they would then follow the standard FAA grant assurances as detailed in the AIP Handbook and as noted previously. COVID funds used to pay debt service, operation, and/or maintenance of an airport do not follow FAA grant assurances. COVID funds also do not void preexisting grant assurances made in prior grant agreements. For COVID funds received, at a minimum, the grant assurances remain in effect for four years from the date of acceptance of the grant offer, which is consistent with the FAA budget period.

The Airport would be released from its grant assurances by 2036 as no perpetual land agreements are found to exist, no additional federal grants are accepted, and COVID funds are not used to

fund development projects. Presented in **Table 1-5** is a summary of the unamortized federal grant obligations at the time of the report.

Table 1-5. Outstanding Federal Unamortized Grant Obligations

Fiscal Year	Total Federal Funds Received	Description	Grant Assurances Expiration	Unamortized Grant Obligations
2010	\$146,249	Update Airport Master Plan Study [Phase 1]	2030	\$43,875
2012	\$1,021,152	Improve Runway Safety Area [Environmental/Design (#16-19, 21-22)] - 06L/24R	2032	\$408,461
2012	\$734,420	Improve Runway Safety Area [Design (#16-19, 21-22)] - 06L/24R	2032	\$293,768
2012	\$4,779,888	Improve Runway Safety Area [Construction (#16-19, 21-22)] - 06L/24R	2032	\$1,911,955
2013	\$9,775,388	Improve Runway Safety Area - 06L/24R	2033	\$4,398,925
2014	\$224,068	Update Airport Master Plan Study	2034	\$112,034
2018	\$263,756	Rehabilitate Taxiway	2028	\$105,502
2020	\$157,000	CARES ¹	2024	\$0
2020	\$116,735	Rehabilitate Taxiway	2030	\$70,041
2021	\$705,787	Acquire Aircraft Fire Fighting Vehicle	2036	\$564,630
2021	\$34,162	CRRSA Contract Tower	2025	\$8,541
2021	\$57,000	CRRSA Funds ¹	2025	\$14,250
2021	\$148,000	General ARP ¹	2025	\$37,000
			TOTAL	\$7,968,981

Source: Cleveland Burke Lakefront Airport Grant Information, March 2022; CHA 2024

¹Per FAA guidance, CARES, CRRSA, and ARPA funds only follow FAA grant assurances if used for airport development projects. However, at a minimum, the grant assurances remain in effect for four years from the date of acceptance of the grant offer, which is consistent with the FAA budget period.

1.5.2 State Grant History and Obligations

Upon execution of a state grant provided by ODOT, like federal grants, standard assurances are incorporated and become part of the grant contract. Pursuant to the ODOT grant program, the airport sponsor guarantees the compliance of seventeen grant assurances. In particular, the ones associated with an airport closure are grant assurances 9 and 10. Grant assurances 9 and 10 require an airport to pay back the total amount of ODOT funds received either for facilities or equipment if within 20 years from the date of the grant contract. For the release of real property acquired by way of an ODOT grant, the airport sponsor agrees to return the appraised fair market value at the time of sale.

ODOT grants are only available to non-primary general aviation airports that do not receive FAA Air Carrier Enplanement funds. As BKL has had periods in which air carrier service was

unavailable, ODOT grant availability/history only includes three grants. At the time of this report, BKL does not have air carrier service. If this were to continue and BKL were to accept future ODOT grants, payback would be required if within 20 years of closure. A history of ODOT grants received is provided in **Table 1-6**, including the grant assurance expiration date. If BKL does not accept additional ODOT grants, grant assurances are set to expire in 2039. If the Airport were to close prior to 2038-2039, it would owe approximately \$1.5 million for grants received from ODOT.

Table 1-6. ODOT Grant History and Assurance Expiration

Fiscal Year	ODOT Project Number	Total ODOT Funds Received	Description	Grant Assurances Expiration
2018	18-03	\$601,296	Pavement: Rehab RW 6R-24L, Phase I	2038
2019	M19-14	\$15,992	Rehabilitate Taxiway	2039
2019	19-04	\$850,803	Pavement: Rehabilitation of RW 6R/24L, Phase II	2039
TOTAL		\$1,468,091		

Source: Ohio Department of Transportation (ODOT), September 8, 2022.

1.5.3 Lease Review

A review of the current lease structure at BKL was completed to determine **ATTY WORK PROD** challenges that could occur from the closure of BKL prior to their expiration. Signature serves BKL as the single FBO but has two separate leased areas. Signature subleases the easternmost hangar and adjacent office space to the Aitheras Aviation Group. According to Signature, that lease is set to expire at the end of 2022. The second lease, which is set to expire in 2043, covers the ground lease for their new FBO facility constructed in 2016 and the old FBO hangar located to the east of the existing FBO. At the expiration of the ground lease, the buildings and improvements not owned by the City on the leased property revert to the City. **TRADE SECRET**



1.6 AIRPORT CLOSURE OPTIONS

The preceding sections laid the groundwork for determining routes the Airport could take to close the Airport if chosen as the preferred alternative in the ALP update. A thorough review of the Airport environment, stakeholder interviews, past airport closures, alternative airport capacity, and federal and state requirements is critical to inform future decision-making. Each closure option is presented with potential opportunities and constraints that may occur if chosen as a closure option. It shall be noted that additional unforeseen challenges may be present no matter the

closure option since an airport closure is rare due to logistical complications, legal hurdles, and financial implications.

1.6.1 Option 1 – Wait Out Grant Obligations

At a minimum, BKL is federally obligated to remain operational until the expiration of federal grant assurances in 2036. ODOT grant assurances don't preclude the airport closure, but any outstanding grants would require payback for funds received if less than 20 years of grant contract. The federal grant expiration date of 2036 is contingent on the Airport having no perpetual land grant assurance agreements and not accepting additional federal funds for improvement and maintenance of the Airport after grant 3-39-0022-20. The city would have to continue to pay for all operational and maintenance costs for BKL for 14 years to ensure compliance with federal and state requirements, in which a yearly budget deficit at the Airport already exists. Based on annual operations & maintenance budget, additional expenditures are projected to cost \$2,500,000 million over 14 years until closure in 2036 (not adjusted for inflation). This does not account for a rehabilitation of Runway 6L-24R that will most likely be needed before 2036. Historical airport closures have shown that once the expiration of federal grant assurances occur, only a 30-day notice to the FAA is required to legally close the airport. However, as previously mentioned, this assumes no airport property is federal obligated without expiration. Early coordination with the FAA should be undertaken to confirm expiration of grant assurances

ATTY WORK PROD

ATTY WORK PROD



Although grant assurances could expire in 2036 for federal grants and 2039 for state grants, that does not supersede the city's legal obligations

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. Determining the extent of legal actions that the Airport would be subject to is not possible; however, going through the legal process would require a financial commitment and could delay the closure of the airport.

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Table 1-7. Wait Out Grant Obligations – Opportunities and Constraints

Opportunities	Constraints
<ul style="list-style-type: none"> • Waiting provides a legal means to close the Airport without federal action (executive or legislative). • If the land is not considered a perpetual agreement, closure would only require a 30-day notice to the FAA once grant assurances expire in 2036. • Waiting would not require providing documentation of a net benefit to aviation. 	<ul style="list-style-type: none"> • The Airport would be required to wait 14 years until 2036 to close. •  • The Airport would be required to pay back ODOT grants received before the 20-year assurance expiration (\$1.5 million). • The City of Cleveland would be responsible for the development, repair, and maintenance of BKL without federal and/or state assistance through 2036. • 

1.6.2 Option 2 – Apply to FAA for Closure

An airport sponsor can apply and seek approval at any time to close an airport. FAA approval would require that the airport prove a net benefit to the aviation system, not the economic benefit of the community. In part, this report and the analysis performed in the alternative capacity evaluation show that other airports within the region can support activity transferred from BKL if future corporate hangar, T-hangar, and apron development were to take place to accommodate users. Although other airports (CLE, CGF, LNN, 1G3, 1G5, and LPR) can support activity from BKL, given their existing capacity and potential for additional development to support additional activity, the FAA could determine that there is no substantial net benefit to the aviation system. Moreover, the FAA designates BKL as a regional GA due to its support to the regional airport system and high activity levels and existing available facilities. Other GA alternative airports (LNN, 1G3, 1G5, and LPR) would require new aircraft storage facilities and support for higher activity levels than BKL to show a net benefit.

In addition, the Airport would be required to pay all unamortized federal grants that have not reached their useful life or the 20-year timeline for most projects. For state grants, closure before 2038-2039 would amount to approximately \$1.5 million. Ultimately, if chosen as an option, the amortized amount would depend on the closure date and the outstanding grant obligations. At the time of this report, the federal grant repayment amount would be approximately \$10 million. Although this option could be pursued at any time, it is unlikely to succeed, as the FAA strongly discourages the closure of airports. Furthermore, with the infrastructure provided by BKL, the

Airport’s importance to the region, use level, and capacity, demonstrating a net benefit to civil aviation would be a challenge.

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Table 1-8. Apply to FAA for Closure – Opportunities and Constraints

Opportunities	Constraints
<ul style="list-style-type: none"> The application for closure can be submitted to the FAA for approval at any time. 	<ul style="list-style-type: none"> The Airport would be required to pay unamortized amounts of outstanding federal grant obligations (\$7.9 million at the time of this report). The Airport would be required to pay back ODOT grants received before the 20-year assurance expiration (\$1.5 million). Additional financial commitment may be required to improve alternative airports to show net benefit to civil aviation. <div data-bbox="896 936 1398 1184" style="background-color: black; color: white; text-align: center; padding: 5px;">TRADE SECRET</div> <div data-bbox="896 1184 1398 1373" style="background-color: black; color: white; text-align: center; padding: 5px;">ATTY WORK PROD</div> <div data-bbox="896 1373 1398 1470" style="background-color: black; color: white; text-align: center; padding: 5px;">TRADE SECRET</div>

1.6.3 Option 3 – Federal Legislation

Pursuing federal legislation through the U.S. Congress can be a means to bypass FAA requirements to close an airport. Working with the legislative branch of the government, legislation can be passed directing the FAA to close the Airport.

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Table 1-9. Federal Legislation – Opportunities and Constraints

Opportunities	Constraints
<ul style="list-style-type: none"> Federal legislation can be submitted for approval at any time. This option can be used to bypass FAA requirements for closing an airport. Could eliminate the cost of federal grant payback. 	<ul style="list-style-type: none"> This option requires substantial support from elected representatives. <div data-bbox="894 604 1393 779" style="background-color: black; color: white; text-align: center; padding: 5px;">ATTY WORK PROD</div> <div data-bbox="894 785 1393 947" style="background-color: black; color: white; text-align: center; padding: 5px;">TRADE SECRET</div> The Airport would be required to pay back ODOT grants received before the 20-year assurance expiration (\$1.5 million).

1.7 FINANCIAL ANALYSIS

As part of the closure alternative investigation, a financial analysis was conducted by JacobsenDaniels (JDA). The complete financial report examining the financial impact of closing BKL is included in TRADE SECRET This section includes a high-level examination of the financial impacts of closing BKL:

- Elimination of operating and maintenance expenses
- Lease buyout impacts
- Grant assurance-related costs
- Debt service

1.7.1 BKL Economic Impact

BKL was included in the 2014 ODOT Office of Aviation Ohio Airports Economic Impact Study, which measured the value provided by airports and aviation-related activities in Ohio. The study showed how aviation helps Ohio’s economy and many other benefits provided by the state’s system of airports. The study included 104 airports and found that, in 2013, these airports supported nearly 123,500 jobs, generated nearly \$4.2 billion in annual payroll, and produced more than \$13.3 billion in annual economic output.



BKL is classified in the study as a GA Level 1 Airport, which is the highest level of general aviation airport (one step below air carrier) and defined as airports that “are intended to meet nearly all the needs of general aviation turbine powered aircraft, including corporate jet aircraft, and their users. This facility classification can also support recreational general aviation activities and flight training.” According to the report, BKL’s total economic impact supported 953 jobs, generated nearly \$34.5 million in annual payroll, and produced approximately \$107 million in annual economic output.

1.7.2 Financial Performance

Utilizing data provided by the City of Cleveland, the following subsections provide an overview of BKL’s overall financial situation, revenue generation, general operating expenses, staffing, and debt service.

1.7.2.1 Overall Financial Performance

BKL does not generate the level of revenues produced by commercial service airports (i.e., terminal fees, landing fees, concessions, vehicular parking, rental cars, etc.). On a standalone basis, BKL typically operates at an annual loss, as shown in **Table 1-10**. As shown in the latest available audited data from 2015 to 2021, BKL recorded an average annual loss of approximately \$0.9 million. The net losses at BKL are generally included as an expense line item in calculating airline rates and charges for commercial airlines operating at CLE. In terms of employees, BKL indicated that they employ 15 City of Cleveland staff members as of August 2022 (this does not include the employment of airport businesses):

- Four (4) Airport Maintenance Employees
- Three (3) Airport Operations Agents II
- Two (2) Airport Operations Agents I
- Two (2) Custodial Employees
- One (1) Airport Operations Superintendent
- One (1) Heavy Duty Mechanic
- One (1) Administrative Manager
- One (1) Electrical Employee

Table 1-10. BKL Revenues and Expenses

Year	2015	2016	2017	2018	2019	2020	2021
Revenues							
Concessions	\$774	\$795	\$603	\$896	\$713	\$180	\$562
Rentals	\$361	\$402	\$487	\$330	\$407	\$421	\$488
Landing Fees	\$154	\$185	\$190	\$190	\$170	\$100	\$211
Other	\$101	\$221	\$211	\$241	\$219	\$181	\$244
Total Revenues	\$1,390	\$1,603	\$1,491	\$1,657	\$1,509	\$882	\$1,505
Expenses							
Salaries and Wages	\$926	\$950	\$683	\$896	\$866	\$845	\$1,365*
Employee Benefits*	\$370	\$352	\$367	\$260	\$284	\$308	-



City Central Services	\$406	\$472	\$298	\$250	\$230	\$426	\$125
Materials and Supplies	\$239	\$385	\$298	\$251	\$230	\$426	\$191
Contractual Services	\$629	\$526	\$311	\$486	\$553	\$403	\$711
Total Operating Expenses	\$2,570	\$2,685	\$1,957	\$2,143	\$2,163	\$2,408	\$2,392
Net							
Net Surplus/(Deficit)	(\$1,180)	(\$1,082)	(\$466)	(\$486)	(\$654)	(\$1,526)	(\$887)

*Employee Benefits were a separate line item until 2021, when the audit combined them with Salaries and Wages.

Sources: City of Cleveland, Ohio Department of Port Control Divisions of Cleveland Hopkins International and Burke Lakefront Airports, Report on Audit of Financial Statements, years ending December 31, 2015 to 2021.

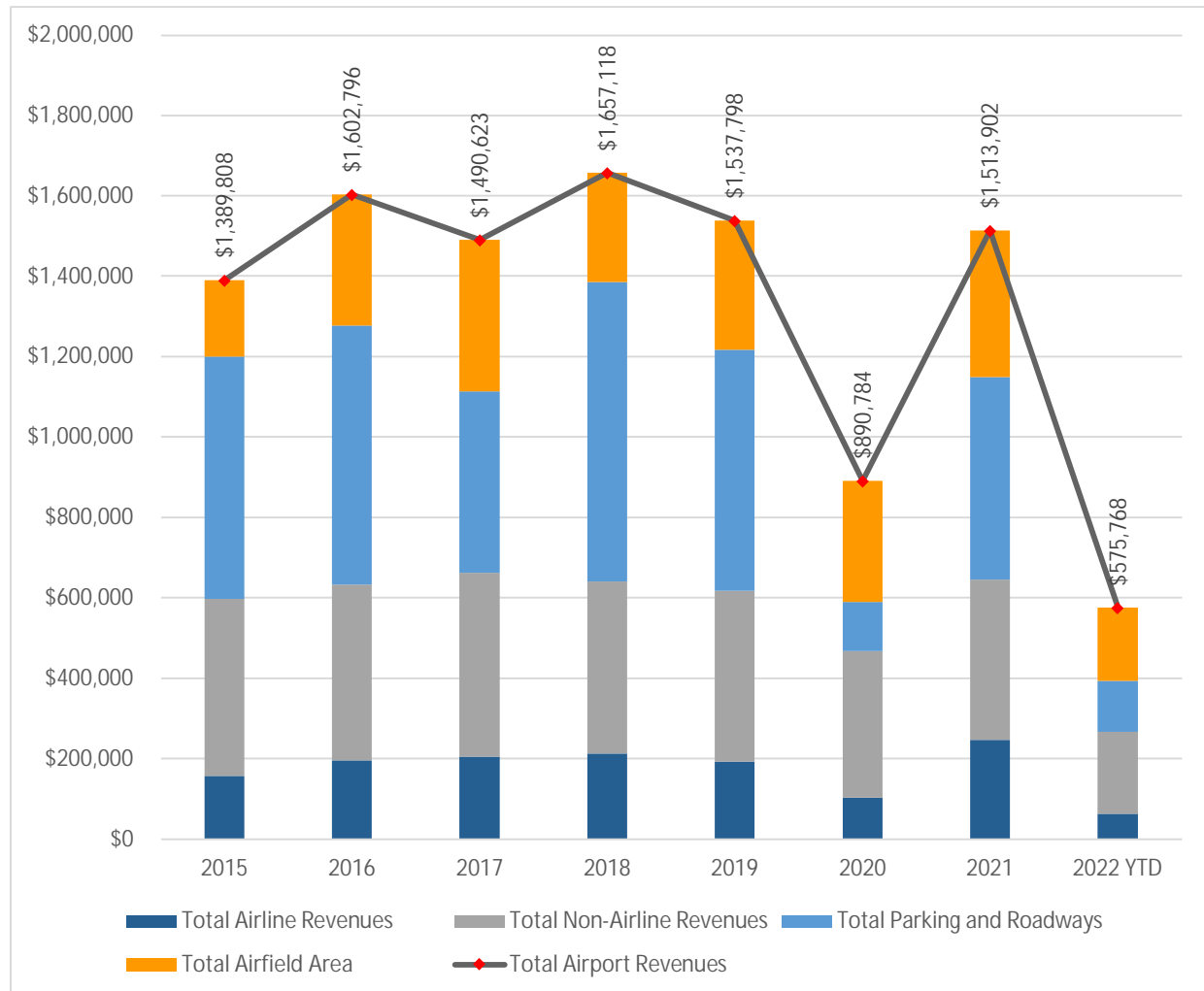
1.7.2.2 Revenue Generation

BKL staff provided additional information regarding the Airport’s revenue streams, as shown in **Figure 1-2**. It should be noted that the categories provided in this report differ from those in the audited financial statements. Revenues generated by the Airport include the following:

- Airline revenues, which include landing fees and terminal rentals
- Non-airline revenues, which include rental car revenues, concession revenues, security badging fees, space rental/fees, special event fees, and utility reimbursement
- Parking and roadways, which includes automobile parking, employee parking, rideshare fees, and commercial vehicle fees
- Airfield area, which includes fixed base operators, fuel flowage fees, in-flight catering, hangars and other areas, and utility reimbursement/other

Most revenues generated by the Airport have historically been parking and roadways, primarily automobile parking, which typically accounts for approximately 40% of all airport revenues. The second largest revenue stream has historically been non-airline revenues, accounting for approximately 29%, mainly space rentals and fees. Airfield area fees, mostly FBO and fuel flowage fees, normally account for approximately 19% of revenues. Lastly, airline revenues, mainly landing fees, typically account for approximately 13% of all revenues.

Figure 1-2. Airport Revenues



Source: BKL Financial Data Request Form 2015-2022 YTD (as of June 2022)

1.7.2.3 Airport General Operating Expenses

Each fiscal year, the City of Cleveland publishes its budget to include the Division of Airports, Airport General Operations, which covers BKL expenses. The budget is divided into the following categories:

- Other Training and Professional Dues, which includes dues, subscriptions, and travel
- Utilities, which includes gas, water, and electricity
- Contractual Services, which includes professional services
- Materials and Supplies, which covers a variety of equipment and supplies needed for the Airport
- Maintenance, which includes equipment, vehicles, and tools
- Interdepartmental Service Charges, which includes charges from water, property, and waste collection

The total budgeted amount and actual expenditures for each category can be found in **TRADE SECRET**. Most expenditures have historically been from utilities (normally 44%); however, in 2021, interdepartmental service charges accounted for 51% of expenditures. Materials and supplies generally account for 19% of actual expenditures, followed by maintenance and contractual services at 15% and 10%, respectively. Other training has accounted for less than 1% of total actual expenditures.

1.7.2.4 Debt Service

The City of Cleveland has no outstanding general obligations bonds used in part to fund airport improvements at BKL or the airport system. However, BKL staff indicated that there is an airport system revenue bond debt outstanding of approximately \$650,000 related to the installation of an ILS, master plan and environmental study, HVAC upgrade, and overlay of Runway 6L-24R, which were completed in approximately 1999. A portion of these project costs was financed with the proceeds from the City of Cleveland, Ohio, Airport System Revenue Bonds Series 1997, and the \$650,000 of total remaining debt service will be paid off in the next few years.

1.7.3 Airport Leases

The city provided lease information for BKL¹⁶, separated by the city as a Lessee and the City as the lessor. Four Lake Erie Submerged Land Leases (SLL) are related to BKL.

1.7.3.1 City as a Lessee

Three of the SLLs are between the city and the State of Ohio (State) through its Department of Natural Resources. They are to lease and use submerged lands and artificially filled areas of Lake Erie for all purposes in support of BKL airport operations. The SLLs are listed in **Table 1-11**.

Table 1-11.BKL Submerged Land Leases

File Number	Term	Rent/Consideration
SUB-428-CU (use of 4 submerged water intake systems owned by the city)	11/1/85-10/31/35 Option to renew for 50 years; allows for assignment of lease to purchaser of the adjoining/upland property.	\$1.00/year
SUB-0514-CU (lease of submerged land for airport expansion and confined disposal facility)	8/1/92-7/31/42	\$1.00/first 5 years; thereafter recalculated pursuant State law

¹⁶ SLL SUB-0546-CU (replaces lease SUB-0546-CU dated 10/24/91) relates to a lease of submerged lands for a floating restaurant and parking. The parties to this SLL are the State of Ohio and Hornblowers Limited Partnership. The term of the SLL is 10/01/01-9/30/51 with ability to apply for new lease. Also, the lessee has the option to terminate the SLL pursuant to the lessee’s requested termination agreement. Rent under this SLL is \$758.00/first 5 years for the floating restaurant and parking area; thereafter rent is recalculated pursuant to State law. While the City is not a party to this SLL, this SLL is noted given that the filled areas contiguous to BKL.



<p>SUB-0070-CU (lease of submerged land for development including Aeronautical Facilities, as defined in the lease)</p>	<p>6/1/14-5/31/2113 Two (2) 50-year renewal options; the City has option to terminate pursuant to City’s requested termination agreement.</p>	<p>Base rent pursuant to State law</p>
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Sources: BKL and CHA

The SLLs obligate the City to provide rental payment to the State of Ohio per the rental terms of each lease. SLL SUB-0070-CU includes a provision allowing the City to terminate the lease before lease expiration subject to a lease termination agreement between the State and the City. The other two SLLs do not include a similar lease termination option for the city. While SLL SUB-428-CU does not include the City’s option to terminate the SLL per a lease termination agreement with the State, in the event of a sale of the adjoining/upland property, it does allow for the City to apply to the State to assign the SLL to the purchaser of the adjoining/upland property. Given that the lessor is the State of Ohio, each SLL reserves to the State its right of eminent domain/condemnation pursuant to State law.

BKL is built entirely on artificially filled areas of Lake Erie. SLL SUB-0514-CU only covers the northern half of the airport property; therefore, the City is currently preparing an application to encumber the remaining airport property under another SLL. Given that BKL completely operates on filled areas of Lake Erie, the SLLs are understood to be necessary to establish the apparent rights of the City regarding its specific interest in the property of BKL. The SLLs establish the City’s interest in and over the filled areas of BKL as leasehold or ownership interest in the actual filled areas, with the State of Ohio holding trust in the waters of Lake Erie and the land underneath the lake, which would include the land under the artificially filled areas that makes up the airport property for purposes of BKL¹⁷.

1.7.3.2 City as a Lessor

Leases held by the City as the lessor primarily relate to the lease of space or use of space at BKL, including office space in the BKL terminal and lease of real property. Some lease agreements are captioned as “Lease by Way of Concession,” which include the lease of terminal space or allow an airport operation activity with the requirement of payment by the lessee/tenant to the city. Some leases are between the City and another governmental entity. A number of these leases have expired, and to the extent a lessee has not vacated leased premises under an expired lease, the lessee can generally be considered under lease on a month-to-month basis or a holdover tenant. In these instances, notice to the holdover tenant from the city can be provided for the lessee to

¹⁷ In the executed Addendum to the Cooperative Agreement for Harbor Services between City of Cleveland and Port Authority entered into March 1, 2013, Port Authority agreed the City is the littoral landowner: The City hereby designates the Port Authority to act as its representative, at no cost to the City, in dealings with the U.S. Army Corps of Engineers (“Army Corps”) and other interested parties with respect to the improvement, operation and maintenance of the Confined Disposal Facilities (CDF’s) located immediately north of Burke Lakefront Airport (“BKL”) owned by the City as littoral landowner and tenant under a submerged land lease with the State of Ohio (SUB0514-CU), including the signing of any right-of-entry or other agreements on behalf of the City with the Army Corps related to the CDF’s.



vacate the premises. Thirty-seven (37) leases were provided for review and are shown in

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As noted above, several leases appear to be expired, or it is currently unknown if the city has exercised option periods. If lessees remain in the leased space and the lease is expired, efforts can be made to have the lessee vacate the premises.

For those leases that remain current, primarily the FBO lease, if the city seeks to terminate the leases, efforts can be made to seek an agreement with the current lessee to vacate the leased premises with a likely lease buyout by the city. For the purposes of early lease termination by the city, Signature Flight (successor to Burke Lakefront Services/Landmark/Millionaire for operations under the BKL FBO agreements) recently undertook improvements at the Airport, including the construction of a new hangar facility with investments costing approximately \$16 million. The FBO investment costs would need to be addressed should the city proceed with a termination of the FBO lease.

In addition, an FAA Memorandum of Understanding (MOU) for the Airport’s navigational aids (NAVAIDs) is effective through 2062. It is understood that recent improvements to the airfield systems were undertaken at FAA’s cost as part of the Runway 6L-24R Safety Area Improvement project completed in 2012. The FAA’s costs related to recent airfield system improvements would need to be addressed should the city proceed with a termination of the FAA MOU.

1.7.3.3 Terminal Office Space Leases

In addition to the lease review, BKL provided the most recent rent roll from 2018 through a Terminal Building Lease analysis, as shown in **Table 1-12**. It should be noted that Ultimate Air ceased operations during the pandemic and is no longer located at BKL.

Table 1-12. 2018 Extracted Rent Roll

Room	Tenant Name	Vacant Spaces	Monthly Lease	Annualized Income
105	KAZ Radio	N/A	\$162.50	\$2325.00
106-106A	CPD Aviation Unit	N/A	\$1,500.00	\$8,092.00
115-116	MarKenCami, LLC	N/A	\$238.75	\$6,864.00
127	Ultimate Air – Office*	VACANT	\$0	\$0
150	Ultimate Air – Passenger Lounge*	VACANT	\$0	\$0
151	Ultimate Air – Concourse*	VACANT	\$0	\$0
149-152	Zone Aviation	N/A	\$1,948.33	\$23,958.00
161	Weather Forecast	N/A	\$288.17	\$4,256.00
162	Top Gun	N/A	\$256.25	\$3,280.00
165-169 & 179	IWASM Offices	N/A	\$2,665.10	\$38,992.00
166	Cleveland Air Show	N/A	\$1,573.25	\$26,652.50
174	CBP	N/A	-	\$8,721.00
178-194	CPD Hit Skip – Accident Investigation	N/A	\$1,724.91	\$14,352.00
180	VACANT	VACANT	\$0	\$0
181	CPD	N/A	-	\$10,448.00



182	Wargo Law Office	N/A	\$696.00	\$8,347.00
184	T&G Flying Service	N/A	\$1,681.33	\$27,160.00
189	CPD Employee Assistance	N/A	-	\$8,944.00
193	CPD Employee Assistance	N/A	\$291.66	\$4,480.00
200	CHA Consulting, Inc.	N/A	\$5,800.00	\$71,775.00
220	VACANT	VACANT	\$0	\$0
		TOTAL	\$23,347.59	\$322,902.50

*Note: Ultimate Air ceased operations in 2021 so it is assumed that their spaces are vacant.
 Source: Burke Lakefront Terminal Building Lease Analysis (O. R. Colan Associates, 2018)

1.7.4 Financial Impacts of Closing BKL

The financial impacts of closing BKL are derived from a review of airport finances, including revenues and expenditures, as well as reviewing leases, grants and assurances, and other information provided by the Airport. The overall financial impacts include:


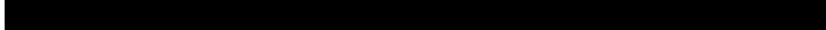
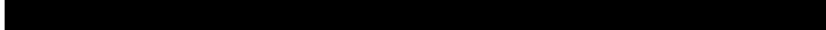
- Reduction of costs and loss of revenues:** BKL recorded an average annual loss of approximately \$0.9 million from 2015 to 2021, which is included as an expense line for CLE. Assuming BKL would continue to operate with a net negative financial statement in the future, closing BKL would eliminate this financial burden. Some costs associated with labor could be expected to remain within the Department of Port Control, as BKL staff may be relocated to CLE, slightly reducing the amount of savings. However, the overall impact would be positive from a cost vs. revenue perspective. In addition, removing the BKL operating loss from CLE could potentially lower CLE rates and charges, as the need to recover these costs from the airlines will no longer be needed.
- SLLs:** One SLL includes a termination provision, while the other two do not. Terminating these leases would require coordination with the State of Ohio since each SLL reserves to the State its right of eminent domain/condemnation pursuant to State law. Though not specified, there may be costs associated with terminating the SLLs (i.e., cost of outside legal support, consultants, etc.). The existing SLLs have land use restrictions on them, as only airport operations or CDF operations are permitted.
- TRADE SECRET**
- Reimbursements to FAA:** Receiving grants from the FAA typically requires a 20-year obligation commitment. However, projects may have a different obligation period based on their useful life. Based on the grants awarded after 1949 and the 20-year assumption, the last date of expiration of the Airport’s grant assurances would be 2036. Unamortized grant obligations are approximately \$7.9 million.
- Reimbursements to ODOT:** Based on the three grants from ODOT and the 20-year assumption, the last date of expiration of the Airport’s grant assurances would be 2039. Grant obligations of approximately \$1.5 million would need to be reimbursed if the Airport closed before this date.
- Cost of coordinating the closure:** While this amount cannot be quantified now, coordinating the cost of closure would require potential legal fees, staff time, consultant fees, etc.

- **Cost of physically closing the Airport:** This cost requires pavement removal, restoration, and building demolitions at a minimum and may require additional costs for altering lighting, signage, and relocation and/or disconnection of facilities. CHA provided cost estimates which total \$15.3 million.

1.7.5 Financial Summary

When evaluating closing BKL, there are many factors to consider. **Table 1-13** summarizes the opportunities and constraints associated with closing BKL.

Table 1-13. Opportunities and Constraints Associated with Closing BKL

Item	Cost of Closing
Airport Operations	<ul style="list-style-type: none"> • Relocation of approximately 40,000 operations and 35 based aircraft • Potential revenue generation at CLE for any operations and based aircraft that relocate there
Economic Impact	<ul style="list-style-type: none"> • According to the 2014 ODOT Office of Aviation Ohio Airports Economic Impact Study, BKL’s total economic impact supported 953 jobs, generated nearly \$34.5 million in annual payroll, and produced approximately \$107 million in economic input. These economic impacts would be lost.
Financial Impacts	<ul style="list-style-type: none"> • Net gain to the City since BKL is operating at a deficit and compensated as an expense item at CLE
Submerged Land Leases	<ul style="list-style-type: none"> • Potential costs associated with terminating SLLs • Would involve coordination with the State
Terminating Leases	<ul style="list-style-type: none"> •  •  •  <p style="text-align: center;">TRADE SECRET</p>
Reimbursements to FAA	<ul style="list-style-type: none"> • Portion of reimbursements of approximately \$7.9 million for closing BKL within a 20-year grant obligation timeframe
Reimbursements to ODOT	<ul style="list-style-type: none"> • Approximately \$1.5 million for closing BKL within a 20-year grant obligation timeframe
Coordinating the Closure	<ul style="list-style-type: none"> • Costs associated with potential legal fees, staff time, consultant fees, etc.

<p>Physically Closing the Airport</p>	<ul style="list-style-type: none"> • Costs associated with building demolition of approximately \$4.5 million • Costs associated with pavement removal of approximately \$7.6 million • Contingency costs for additional unknowns of approximately \$2.4 million • Total costs of approximately \$15.3 million (refer to TRADE)
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Sources: CHA and Jacobsen|Daniels, 2022

1.8 CONCLUSIONS

Closing of a public-use federal obligated airport is possible, but the process is intricate as most airports have accepted federal funds to develop the airport and keep it operating safely. If the City of Cleveland decides to close BKL, one of the three options discussed in Section 1.6 may be selected as the preferred method of closing. According to FAA Order 5190.6B, Section 22.20, an airport sponsor may request the release of obligations for an entire airport; however, the FAA Associate Administrator for Airports (ARP-1) concurrence is required before granting any release that would enable the disposal of an entire airport for non-aviation purposes. In addition, each request to release an entire airport is considered by ARP-1 on a case-by-case basis and at the complete discretion of ARP-1.

- Title 49 United States Code 46319 states that a public agency (as defined in section 47102) may not permanently close an airport listed in the NPIAS under section 47103 without providing written notice to the Administrator of the FAA at least 30 days before the date of the closure. The FAA will take into consideration factors such as the following:
- Past and present owner’s compliance record under all its airport agreements and its actions to make available a safe and usable airport for maximum aeronautical use by the public
- Evidence that the owner has taken or agreed to take all actions possible to correct noncompliance situations at the airport
- Reasonableness and practicality of the owner’s request in terms of aeronautical facilities that are needed and the priority of need
- Net benefit to be derived by civil aviation and the compatibility of the proposal with the needs of civil aviation
- Consistency with the guidelines for specific types of releases

Advantages and disadvantages are discussed in the following subsections to assist the City of Cleveland in deciding whether to close BKL or not.

1.8.1 Advantages to Closing BKL

1.8.1.1 Allows the Port Authority and USACE to operate autonomously without FAA oversight

According to the Port Authority, the Cleveland Harbor supports \$3.5 billion in annual economic activity, provides 20,000 jobs, and manages more than 13 million tons of cargo. Cleveland Harbor is a hub for international and Great Lakes maritime commerce, is critical to the State’s economy, and, as the 45th largest port in the nation, is a critical supply chain hub of the United States. The

Cuyahoga River and Cleveland Harbor are dredged twice a year to sustain commercial navigation. This dredge operation collects material (silts and sands) that is deposited over time into the navigation channel in the river and the harbor entrance. The Port of Cleveland's Sediment Processing & Management Facility (SPMF), which is operated on the surfaces of Confined Disposal Facilities (CDFs) 9, 12, and 10B (future), is vital in sustaining navigation within the harbor. The USACE has identified these CDFs (located on and adjacent to BKL property) as the only short- and medium-term solutions within Cleveland Harbor to facilitate the upland management of dredge sediment as part of their Dredge Material Management Process. The USACE would also like to enter into a multi-year placement agreement with the Port Authority for the continued operation of the SPMF (a 217 agreement referencing the specific provision of the Water Resources and Development Act enabling such agreements). Without the operation of the Port Authority's facility, the USACE would be unable to fulfill its federal obligation, thus putting the harbor, maritime commerce, and the thousands of jobs that rely upon the timely dredging of the harbor at risk.

In March 1972, the City of Cleveland passed Ordinance Number 653-71, authorizing the City of Cleveland, Director of Port Control to accept a permit from the USACE that authorized the construction of a bulkhead to enclose the open water of Lake Erie on the eastern side of BKL, which ultimately become CDF 12. Since then, for reasons unknown, that property has been shown on the BKL property map as "federally obligated airport property." The Port Authority currently operates the SPMF on the surfaces of the CDFs under historic agreements with the City of Cleveland and the USACE. More specifically, the Harbor Services Agreement and the Port Authority's local sponsorship agreement with the USACE for the construction, operation, and maintenance of CDF 12. To enter into a multi-year capacity placement agreement with the Federal Government (217 agreement), the Port Authority needs certainty on access, land use, capital infrastructure investments, risk mitigation, and the ability to operate uninterrupted for the term of the 217 agreement. Keeping the SPMF as a non-aeronautical operation on Airport obligated property under FAA approval results in the following impacts on the Port Authority:

- Airport lease agreements contain terms incompatible with the proposed 217 agreement and the historic agreements in place for the construction, operation, and maintenance of the CDFs
- Airport lease agreements contain non-aeronautical rent terms for sustained access and use of CDFs
- Irreconcilable permit and regulatory environment that limits the Port Authority's ability to plan into the future and make timely capital investments (USACE 408 Authorizations & On-Airport 7460 Airspace Determinations)
- Increased safety and operational risks resulting from combined land use (aeronautical and CDF)
- Preserves the current state of maritime use of CDFs as an optional non-aeronautical construction project within the Airport that is inconsistent with existing submerged land leases, which attempt to create parity between aviation and maritime land use.
- The inability of Port Authority to directly communicate with FAA
- Operational uncertainty, which leads to price volatility and increased costs

According to the Port Authority, the long-term operation of the CDFs within the Airport limits on obligated Airport property is unsustainable, specifically with the direction the USACE wants to head with establishing a multi-year 217 Agreement. A BKL closure would allow the Port Authority

and USACE to operate the CDFs without FAA oversight and would allow both entities to expand their CDFs, which are limited to Airport imaginary surfaces and land use restrictions.

1.8.1.2 Allows the City of Cleveland to develop portions of BKL into an alternate land use

Closing the airport would provide the city an opportunity to expand the ongoing lakefront development in non-CDF areas. For years, proponents for closing BKL have called for the re-development of the Airport into recreation areas (parks), housing, and/or commercial mixed-use development. If the City selects the alternative to close BKL, further planning studies will be needed to identify the best use of the property. Any new development would have to consider the ongoing dredge, sediment, and processing facilities that would be adjacent to any new development. Any future development would be costly, given that BKL is built on submerged lands constructed by dredged material and solid waste, as portions of the site were used as a municipal dump until the late 1950s¹⁸.

Because portions of BKL were previously used as a municipal waste dump, any new development would be required to coordinate with the Ohio Environmental Protection Agency (EPA) under Rule 13. Rule 13 applies to landfills that existed and were closed/stopped receiving waste before the Ohio EPA existed (roughly pre-1970). A landowner or developer wanting potentially to disturb BKL must obtain a Rule 13 Permit from the Ohio EPA.

1.8.1.3 Removal of BKL Operating Losses

According to City financial data, BKL recorded an average annual loss of approximately \$900,000. These net losses at BKL are included as an expense line item in the calculation for the commercial airline rates and charges currently operating at CLE. Removing the \$900,000 BKL operating loss from those calculations could lower the cost per enplaned passenger at CLE. The redevelopment as a park or other public facility itself would also have costs to the city. As such, the net savings and overall public benefit cannot be fully determined until a redevelopment use would be identified.

1.8.2 Disadvantages to Closing BKL

Although the advantages of closing BKL are significant factors in this major decision the city must make, there are also many disadvantages to closing BKL.

1.8.2.1 Economic Impact of Closing

As stated earlier, according to the last economic impact study completed for BKL, the total economic impact was 953 jobs, generation of nearly \$34.5 million in annual payroll, and production of approximately \$107 million in annual economic output. There are multiple businesses located at the Airport, both aeronautical and non-aeronautical. The two main aeronautical tenants, Signature and Aitheras, employ 18 and 35, respectively. Numerous entities lease space from Signature's hangars, including a second organ transplant company (Aery Aviation), local television station helicopters, Cleveland Clinic and University Hospital emergency helicopter services, and other Part 91 and 135 operators.

TRADE SECRET

TRADE SECRET

¹⁸ BKL: A Report on its History, Its Current Status, and Future (9/18/2002)

1.8.2.2 Reimbursements to FAA & ODOT

As stated previously, a prerequisite for receiving federal funds provided by the FAA is the acceptance of grant assurances which often span 20 years. These grant assurances require that the airport maintain and operate its facilities safely and efficiently and in accordance with specific conditions outlined in the AIP Handbook. The assessment of all grants awarded to BKL and the City of Cleveland for the operation of the Airport (as of October 2021) was conducted to determine when federal grants are anticipated to expire with the assumption that no additional grants are accepted. In addition, a state grant analysis was conducted. If the City decides to close BKL and apply for closure in 2022 (Option 2), approximately \$9.3 million would have to be paid back to the FAA and ODOT.

1.8.2.3 Ongoing Maintenance Responsibility

If the City chooses to close BKL but wait out grant obligations (Option 1), the Airport would be required to remain operational until the expiration of federal grant assurances in 2036. ODOT grant assurances do not preclude the Airport closure, but any outstanding grants would require payback for funds received if less than 20 years of the grant contract. Under this option, the city would have to pay for all development and maintenance costs at BKL for 14 years to ensure compliance with federal and state requirements. Based on the annual operations and maintenance budget, additional expenditures are projected to cost \$2.5 million over 14 years until closure in 2036. This amount does not account for a rehabilitation of Runway 6L-24R that will most likely be needed before 2036, which could be an additional \$2.5 million.

TRADE SECRET

1.8.2.5 Costs to Demolish Airport Facilities

There would also be a cost to demolish existing airport facilities. To develop the site for an alternative land use, all runway, taxiway, and apron pavement would be removed and restored with fill material and grass. In addition, all existing buildings would be demolished. These costs are estimated at \$15.3 million **TRADE SECRET**. The city may also need to financially support development of replacement facilities (e.g. hangars) at alternate airports, which has not been determined or quantified but would be negotiated with FAA during the closure process.

1.8.2.6 Potential Legal Actions

Past airport closures have involved various legal actions/lawsuits by airport user and associated groups. While it is not known what actions would be taken against the city, history has shown this to be a likely, costly, and time-consuming possibility.



CHIA

Redaction Log

Total Number of Redactions in Document: 42

Redaction Reasons by Page

Page	Reason	Description	Occurrences
2	TRADE SECRET	Records constituting "trade secrets" have been withheld under O.R.C. 1333.61(D).	1
2	ATTY WORK PROD	The records were redacted as attorney work product under Stanton v. University Hospitals Health Systems, Inc. 166 Ohio App.3d 758 (Eighth App. Dist. 2006).	1
3	TRADE SECRET	Records constituting "trade secrets" have been withheld under O.R.C. 1333.61(D).	1
4	TRADE SECRET	Records constituting "trade secrets" have been withheld under O.R.C. 1333.61(D).	1
4	ATTY WORK PROD	The records were redacted as attorney work product under Stanton v. University Hospitals Health Systems, Inc. 166 Ohio App.3d 758 (Eighth App. Dist. 2006).	1
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6	TRADE SECRET	Records constituting "trade secrets" have been withheld under O.R.C. 1333.61(D).	2
6	ATTY WORK PROD	The records were redacted as attorney work product under Stanton v. University Hospitals Health Systems, Inc. 166 Ohio App.3d 758 (Eighth App. Dist. 2006).	1
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Redaction Log

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41			1
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Redaction Reasons by Exemption

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Redaction Reasons by Page

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14			1
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40	TRADE SECRET	Records constituting "trade secrets" have been withheld under O.R.C. 1333.61(D).	1

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Redaction Reasons by Exemption

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