



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Airport Compliance
and Management Analysis

800 Independence Ave., SW
Washington, DC 20591

April 13, 2026

Mark Freeman, Mayor
Office of the Mayor
P.O. Box 1466
Mesa, Arizona, 85211-1466
mayor@mesaaz.gov

Scott Butler, City Manager
20 E. Main St., Suite 750
Mesa, AZ 85201
commanager@mesaaz.gov

Corinne Nystrom, A.A.E.
Airport Director
Falcon Field Airport
4800 E. Falcon Drive
Mesa, AZ 85215
corinne.nystrom@mesaaz.gov

Re: New Landing Fee Schedule for Falcon Field

Dear Mayor Freeman, City Manager Butler, and Director Nystrom,

The Federal Aviation Administration (FAA) understands that on March 23, 2026, the Mesa City Council approved a new landing fee schedule for Falcon Field. This letter is to bring our concerns and investigation into the matter to your attention, and recommend you delay implementation until the FAA review of the matter is completed.

At least two 14 CFR Part 13.2 informal complaints have been filed by airport users with FAA Western Pacific Region (AWP). Within the framework provided by the relevant federal obligations and policies, the process requires the FAA to investigate the allegations based on arguments of the complaints, the City's response, existing facts and documentation, and if needed, additional data and information from the Complainant or the City.

At this time, based on publicly available information, we have significant concerns that the proposed landing fee structure may be inconsistent with the City's Federal obligations, both grant assurances and Surplus Property Act conveyance obligations. The City's landing fees structure may unreasonably interfere with, or limit, legitimate aeronautical activities. Any attempt to limit operations or specific types of operations, through landing fees, is not permissible. Further, the City's unusual landing fee structure has the potential for systemwide impacts and thus must be assessed. Specifically, the City's

landing fee structure may conflict with Grant Assurance 22, *Economic Nondiscrimination*, Grant Assurance 23, *Exclusive Rights*, Grant Assurance 24, *Fee and Rental Structure*, Grant Assurance 25, *Airport Revenues*, and the FAA's *Rates and Charges Policy*. The landing fee structure may also conflict with the *Airport Noise and Compatibility Act* (ANCA) and 14 CFR Part 161, depending on the type of aircraft affected.

In addition, the proposal, which we understand becomes effective May 1, 2026, could effect air traffic management and efficiency in the Phoenix area, and potentially introduce operational safety risks in the region. The imposition of dissuasive landing fees has operational impacts (e.g. diversions, go-arounds, pattern saturation), and could, unless assessed, jeopardize or disrupt the Acceptable Level of Safety (ALoS) under which operations are now conducted, which is an area under FAA jurisdiction.

In summary, the City should be aware that the publicly stated rationale the City has used to develop the new landing fee structure could be problematic and inconsistent with its federal obligations and related FAA policies. As such, the landing fee structure is vulnerable to a challenge under applicable regulations and is being investigated. Consequently, I strongly urge the City to halt implementation until the FAA 14 CFR Part 13 investigations are completed. Additionally, depending on the City's response and posture, the FAA may initiate a formal 14 CFR Part 16 investigation as provided for under 14 CFR §§ 16.101 and 16.103. Finally, both the 14 CFR Part 13 and 14 CFR Part 16 investigations may impact the FAA's ability to fund airport projects.

I appreciate your attention to this matter.

Sincerely,



Digitally signed by MICHAEL W HELVEY
Date: 2026.04.13 09:08:19 -04'00'

Michael Helvey
Director, FAA Office of Airport Compliance
and Management Analysis