



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

Office of Airport Planning  
and Programming

800 Independence Ave., SW.  
Washington, DC 20591

April 22, 2026

Ms. Rebecca Hupp  
Airport Director  
Boise Air Terminal/Gowen Field  
City of Boise  
3201 Airport Way, Suite 1000  
Boise, ID 83705

**Subject: Boise Air Terminal/Gowen Field (BOI)  
Federal Aviation Administration (FAA) Review of Fiscal Year (FY) 2026  
Competition Plan Update**

Dear Ms. Hupp:

Thank you for providing your Competition Plan Update for BOI. This update was necessary because BOI executed a new lease and use agreement in 2022, after the FAA's review of BOI's Initial Competition Plan, and because BOI became a Covered Airport<sup>1</sup> again in FY26.

The FAA reviewed the FY26 update and finds it to be generally in accordance with applicable statutory requirements. Our review of the Competition Plan found the following pro-competitive policies and practices at the airport:

- The airport accommodated one new entrant air carrier in 2024;
- Of 22 existing gates, 9 are common-use gates controlled by the airport. All 15 remain-overnight (RON) parking positions are common-use;
- BOI uses gate management software to monitor gate assignments and utilization;
- The City of Boise is in the process of developing a new Concourse A with common use equipment to improve flexibility of gate assignments and facilitate new entrants. Seven of ten planned gates are expected to be open for service in 2030; and
- The airport executed a new airline use and lease agreement allowing for recapture of preferential-use gates and laying out policies for accommodating existing airlines or new entrants wishing to add or expand service.

We commend BOI for these efforts.

BOI's previous use and lease agreement expired on September 30, 2022. The City executed a new agreement with the airlines effective on October 1, 2022. BOI's Initial Competition Plan only contained excerpts from its prior Agreement. In its FY22 approval letter, FAA asked BOI to provide a complete copy of the new agreement within 30 days. The City provided a complete

---

<sup>1</sup> As defined by 49 USC § 47106(f)(4), "Covered Airports are commercial service airports that have more than .25 percent of the total number of passenger boardings each year at all such airports and at which one or two air carriers control more than 50 percent of the passenger boardings. Based on calendar year 2024 data, two air carriers accounted for more than 50 percent of BOI's enplanements.

copy with its FY26 Update. The agreement was useful for FAA's review of this update. However, the City only provided excerpts of the Airport Rules and Regulations in Appendix C. As part of future updates, it may be helpful for the City to provide the full Rules and Regulations if any relevant information is contained therein.

In consideration of the pro-competitive policies and practices described in the Initial Completion Plan and the current update, and in view of the circumstances described above, the FAA approves BOI's FY 2026 Competition Plan Update. However, we note the City failed to implement most of the recommendations in the FAA's approval of BOI's Initial Competition Plan. We suggest that the City consider the following recommendations. Some of these can be implemented immediately. Others should be considered when negotiating future agreements with the airlines.

First, we reiterate our recommendation that you designate a proactive Competitive Access Liaison. The update states that new entrants continue to come through the Airport Business Development Office, and carriers can call the general information number or use the email address on the Airport's website. However, there is a disparity in access to information on gate availability and other airport policies and procedures between existing carriers and new entrants. Existing carriers have access to GoApron and participate in periodic dialogue with airport staff that new entrants do not. This may disadvantage new entrants. A Competitive Access Liaison can be more proactive in terms of communicating information to parties and reducing barriers to competitive access for potential new entrants.

Second, in its approval of BOI's Initial Competition Plan, FAA recommended that BOI develop a policy for announcing gate and RON availability, including posting gate availability on BOI's website for the benefit of new entrants that may not have access to GoApron. BOI did not adopt this recommendation by stating that existing carriers have access to GoApron and interested carriers can obtain gate and scheduling information by calling the general information number or using the email address on the airport's website to contact the Business Development Manager. While the update stated the airport will be implementing common-use technology to better utilize common-use gates, it did not address this recommendation. FAA reiterates its previous recommendation that BOI develop a policy for proactively announcing gate and RON availability.

As a corollary to this recommendation, the Competition Plan Update states the airport is able to recover gate(s) from an airline if that airline's gate utilization fails to meet the utilization threshold, defined as four turns per gate per day. Gate utilization is defined as the average of an airline's daily turns per gate at all the airline's preferential use gates. The airport should consider setting a utilization threshold for each individual gate to ensure that all preferential gates are being actively utilized and not merely protected.

Third, FAA previously recommended that BOI establish formal dispute resolution procedures. The airport declined to implement this recommendation. The update states there are no formal dispute resolution procedures in place. Instead, the Airport Business Development Manager is the sole channel for resolving disputes and works with airlines and subtenants to resolve disputes based on Airport Rules and Regulations and any applicable Agreements. This is a gap when evaluating best practices at other airports. We understand that "depending on schedule, flights

can be accommodated on common use gates” and there have been no disputes over subleasing arrangements in the past 12 months. However, we continue to believe that proactive establishment of dispute resolution procedures provide a defined means for carriers to seek redress. Therefore we recommend implementing such procedures and reiterate our recommendation.

Fourth, the Majority-in-Interest (MII) clauses in the new use and lease agreement are less restrictive. There is general improvement over the prior agreement (e.g., pre-approved project lists and other exemptions). However, the MII provisions do not explicitly exempt Passenger Facility Charge (PFC)-funded projects as required by 49 U.S.C. § 40117(f)(1). While the agreement contains a clause subordinating it to the PFC Assurances, it also fails to subordinate the provisions to PFC statute or regulation. FAA recommends that future versions of this agreement clearly subordinate MII and other clauses to 49 U.S.C. § 40117 and 14 CFR part 158.

Beyond these omissions, the new agreement still allows signatory airlines to delay capital projects for up to a year depending on project cost if a supermajority votes “no,” slowing the delivery of infrastructure that could improve competitive access. The Competition Plan Update states that there have thus far been no project delays caused by MII clauses being invoked and that in negotiations for a future Agreement the City will explore options for eliminating or further relaxing MII clauses. FAA commends this progress. We recommend that in future negotiations with the airlines, the airport make all efforts to relax or eliminate MII veto powers, especially for projects that expand gate capacity, common-use facilities, or passenger processing space.

Finally, FAA’s prior approval notes that Covered Airports are required to make their Competition Plans available to the public<sup>2</sup>. The FAA recommended that BOI place a copy of its Competition Plan and FAA’s approval letter on its website. BOI’s update states that this recommendation has been implemented, and that both the Initial Competition Plan and FAA’s May 24, 2022 letter are available on the Airport’s website at [www.iflyboise.com](http://www.iflyboise.com). We could not locate these documents online. Please confirm these documents are indeed available on BOI’s website. If they are, consider placing them in a more prominent place and providing a more precise URL.

As you are aware, after approval of an Initial Competition Plan, two updates must be provided as long as an airport remains a Covered Airport. The first update is due 18 months from the date of the Initial Competition Plan approval letter, but an update should be provided sooner if one of two conditions are met. The conditions, which are identified in the Airport Improvement Program Handbook, Order 5100.38D, Change 1, Appendix W, are as follows:

- An airport files a competitive access report as required by 49 U.S.C. 47107(r) stating it has denied access to an air carrier for gates or facilities within the last six months. Section 47107(r) requires any medium hub or large airport that has denied a carrier’s request or requests for access to file a report with the FAA describing the carrier’s requests, providing an explanation as to why the requests could not be accommodated, and providing a time frame within which, if any, the airport will be able to accommodate the requests.

---

<sup>2</sup> 49 U.S.C. 47107(a)(15).

- An airport executes a new lease and use agreement, or significantly amends a lease and use agreement, including an amendment due to use of PFC financing for gates, in which case a plan update is due within 60 days of execution.

In this case, BOI did not submit its first Competition Plan Update 18 months from the date of FAA's initial approval letter (in November 2023) because it was not a Covered Airport at the time. Thus, in addition to meeting the requirement to submit an update within 60 days of executing a new lease and use agreement, FAA has concluded BOI's current update satisfies the first update requirement. BOI's next update is due within 18 months of this letter, or earlier if one of the two bulleted conditions above is met.<sup>3</sup>

As a reminder, the FAA's ability to issue AIP grants or approve PFC applications is impacted by the Competition Plan and Plan Update submission and approval requirements.<sup>4</sup> We recommend the City forward its second required update in draft form before the deadline to minimize impacts on expected AIP grants or PFCs.

The Secretary of Transportation is required by law to review the implementation of Competition Plans from time to time to verify that each Covered Airport is implementing its plan successfully.<sup>5</sup> In connection with our review, we may determine that it would be useful to visit your airport or hold a teleconference with airport officials. We will contact you if we decide to visit BOI in connection with this update.

For questions about this letter or the FAA's review of your Competition Plan, please contact Carlos Fields, Manager, Airport Policy Branch at (202) 267-8826 or [carlos.fields@faa.gov](mailto:carlos.fields@faa.gov).

Sincerely,

for

William C. Garrison  
Acting Director  
Office of Airport Planning  
and Programming

cc: Jason Ritchie, Acting Director, Northwest Mountain Region Airports Division  
Jesse Lyman, Acting Manager, Northwest Mountain Region Airports Planning and  
Programming Branch  
Jason Garwood, Acting Manager, Helena Airports District Office

---

<sup>3</sup> 14 CFR §158.19.

<sup>4</sup> 49 U.S.C. 40117(k) and 47106(f); *see also* FAA Order 5100.38D, Change 1 ("Airport Improvement Program Handbook," Appendix W).

<sup>5</sup> 49 U.S.C. 40117(k).