



## APPENDICES

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**West Anchorage Planning Group Special Session #3**  
Airport Workshop Notes  
FOCUS ON AIRPORT REGULATIONS  
Tuesday, January 27, 5:30-8:30pm  
Federation of Community Councils, 1057 W. Fireweed Lane

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WAPG Members Present:

John Johanson, TSAIA  
Andy Hutzell, Lake Hood  
Ed Fogels, Sand Lake CC  
Tim Pine, Sand Lake CC  
Mike Carlson, At Large Citizen  
Peggy Auth, Spenard CC  
Matt Burkholder, Spenard CC (for Jason)  
Cathy Gleason, Turnagain CC  
Breck Tostevin, Turnagain CC  
PJ Cramer, Alaska Commodity Freight Forwarders

Staff Present:

Tyler Robinson, MOA Physical Planning Director  
Thede Tobish, MOA Project Manager  
Jon Isaacs, URS Project Manager  
Paul DePalatis, AICP URS Senior Planner  
Kim Wetzel, URS Planner  
Sheyna Wisdom, URS Noise Expert  
Steve Powell, FAA Safety and Compliance  
Gabriel Mahns, FAA  
Bill Mehner, HLB Executive Director  
Karlee Gaskill, HLB  
Patti Sullivan, FAA Environmental Manager  
Jack Jones, TSAIA Planning  
John Parrott, TSAIA Airport Director

**Summary of Airport Realities . . .**

1. *The airport has absolute legal control over the property it owns. Giving away that property (even with use restrictions) increases the risk that incompatible uses might find a way to locate there.*
2. *Airport land is a scarce resource that can never be replaced. Once it is out of airport control, it will never be returned. Therefore, the airport (at FAA insistence) will be VERY cautious about releasing it.*
3. *Each piece of airport property has a different value to TSAIA and FAA based on its location and aviation function. Some are more necessary than others. For example:*
  - *Property at the end of runways, especially within a Runway Protection Zone, is critical to aviation safety.*
  - *Property in South Airpark is divided from the terminal by the E-W runway and therefore is less accessible to General Aviation (GA).*

- *Property south of Raspberry Road is physically separated from the runway and cannot be directly used by aircraft.*
4. *The airport must receive equal or greater benefit for any land disposal (trade/sale) or encumbrance (buffer/easement) it places on property it owns, particularly those that are designated for aviation purposes.*
  5. *The airport has a Federal obligation to discourage non-compatible uses from locating around the airport . . . most importantly in the 65DNL noise contour and in areas within the flight path that projects outward from the runways.*
  6. *The airport values predictability as much as the community does but is required to accommodate an industry that is inherently competitive and unpredictable. (i.e. airlines respond to short term market demand and rarely plan more than a year in advance)*
  7. *The airport is not required to develop every square inch of property up to its fence line and there is some flexibility to accommodate buffers and other mitigation techniques. However, the airport is hesitant to prematurely concede control of its land since this COULD (over the 50-100 year life of the airport) inhibit the ability to accommodate aviation projects. Any permanent commitment of airport land requires FAA approval.*
  8. *Alongside their mandate to accommodate aviation needs, FAA also encourages airports to seek consistency with local land use plans to the extent possible. Therefore, if the District Plan presents realistic, workable solutions to airport issues, they will be seriously considered in airport planning efforts.*

## Topical Discussion . . .

### General FAA Observations

In reality, most airports are not profitable and have a hard time paying their bills.

TSAIA is not an isolated facility but is part of a national and international airport network.

Once an airport exists, because of the high level of investment, it rarely relocates and can be expected to operate in a community for 50-100 yrs.

As a rule, FAA wants to maximize air traffic to its investment.

### Difficulties with Long Term Airport Planning

The community would like the airport to commit to a long term development plan so they know what to expect on airport land. The airport has difficulty in accommodating this because aviation demand is driven by the airlines and land uses are not known until a specific airport lease proposal is made. For example:

- TSAIA didn't know United Airlines was coming to ANC until they saw it in the press release. United did not know either until they saw the demand.

- FAA indicated that for airlines, as surprising as it seems, what's happening a year in advance is a "long-term" plan.
- TSAIA stated that two years ago (2008), 23 businesses wanted to bid on lots at South Airpark. Today (2010) there are none.

While the airport can't make binding commitments about detailed development plans, they do have a general idea about what is likely to occur given the physical location of vacant lands in relation to existing facilities.

For example, due to location, the South Air Park is likely to attract corporate jets, but it would not function well as a cargo hub or GA area because of operational issues and distance from the terminal. GA aircraft coming from South Air Park would experience delays waiting for inbound landing traffic on the east/west runway when taxiing to their primary departure runway 32. All aircraft departing any runway want the quickest, least resistant taxi route.

### Airport Land Disposals

The airport has a federal obligation to keep incompatible uses away from airport property. Therefore, it must control the uses on any properties it disposes of. For example, recreation uses might generally be compatible (e.g. trails or a soccer field) but when you start adding facilities that would concentrate people there (bleachers, pavilion, etc.), recreation uses can become incompatible.

FAA stated that the Airport must get "like-return" for its land. Before it can be sold or traded the airport must prove that they are getting fair market value.

Obtaining any government property is time consuming, even between agencies. For example, in order for the airport to obtain ownership of the Federal Communications Commission (FCC) parcels north and south of Raspberry, FCC is required to prepare paperwork demonstrating they don't need the property. It is then transferred to the BLM (the Federal Land agency), who does their paperwork to demonstrate that no other federal agency needs the land. The State is next in line. If no state agency can use the property, then the local municipality can ask for it. This process takes many years. The airport has applied for the property, the MOA has not.

### Effects of Federal Funds and Land Grants

The majority of FAA monies are earmarked for airfield improvements in the range of \$40 million/year in discretionary and entitlement monies. The airport is required to contribute matching revenues. These are strictly for capital projects and don't include Operations and Maintenance (O&M).

In addition to taking Federal money, the fact that the airport received Federal land also makes it subject to their grant assurances. The assurances are attached to the entire airport property and, in a practical sense, last forever. Each grant of funds extends the assurances for 20 years.

Regarding land transferred from MOA to the airport, if the airport were to theoretically stop accepting federal funds, 20 years down the road the non-federal land would no longer be subject to FAA assurances.

### State Entitlement Lands

MOA did not receive all of the lands it requested as part of the entitlement request settlements. The determination to conclude the State Selection process and transfer parcel ownership is in the hands of the Federal and State government, not MOA or the airport staff.

For example, entitlement parcel #26 (containing the snow dump site at the east end of the E-W runway) is in a Runway Protection Zone. Therefore, to protect aviation safety interests, the FAA (federal agency) will never be able to justify transferring ownership of that parcel, even though the State/MOA Selection Agreement might have identified it for transfer.

The airport would support a recommendation to clarify and potentially resolve the State Selection parcels on airport land.

### Buffers

The 2006 Airport Land Use Plan Map includes a “buffer” designation. The term is normally defined on the map or elsewhere within the document. The 2002 Airport Master Plan defines a buffer as, *“Airport lands for which no specific immediate need has been identified and which can be used as a buffer from adjacent off-airport land uses.”* FAA considers it to be in effect only until the next Master Plan update and assumes that, eventually, all airport property could be developed. Because terms like “buffer” can be misinterpreted as permanent designations, the FAA and airport are very cautious about using these terms to avoid giving people the wrong impression. FAA would characterize the buffer as an “interim use”, a short term use of airport land until it is needed for permanent aviation facilities. Typically interim uses are recognized in 1-5 year increments.

FAA would also consider the buffer area to be reserved for “aeronautical” purposes because there is a defined public process (with specific findings) to convert land from “aeronautical” to “non-aeronautical” use. The airport requests this change and FAA must approve it. FAA is typically hesitant to approve the use change, requiring strong justification, because it reduces the supply of aviation land and is very difficult to undo. Kulis is an example of airport land that is being considered for non-aeronautical use. Turnagain Bog has not been through this process.

FAA indicates that there could be some room to consider a buffer somewhat permanent as an “aviation” use since it could contribute to neighborhood and aviation compatibility. However, it depends on the details and each case must be reviewed independently. There are no guarantees.

TSAIA knows of some creative ways to designate lands as “open” that are fairly permanent (55 years at a time) and that might meet everybody’s needs. The community and the airport do not want to rehash things every 5 years.

The Planning Group suggested that the District Plan identify sensitive areas and recommended buffer locations around the airport boundary. Buffering along a road (e.g. Raspberry) for visual reasons is distinct from larger buffers on/around airport property for a wider range of reasons. Therefore, the identification of sensitive areas would provide the airport with a reliable community consensus to plan for a variety of solutions. Ideally, the MOA Comprehensive Plan, Airport Master Plan, Long Range Transportation Plan, District Plan, etc. should all be consistent.



### Accommodating Community Concerns

On the airport side, FAA encourages airports to strive for consistency with local land use planning documents which includes consideration of local interests and TSAIA wants to be a good neighbor within the bounds of its FAA grant assurances.

Although the FAA does not approve the Airport Master Plan, it sees the mandatory public process as a primary means to ensure that local community issues are identified and considered. However, the Airport Master plan shouldn't be seen as a permanent "agreement" since it is, by nature, evolving with regular, periodic changes to accommodate aviation needs.

The airport is willing to apply graduated use restrictions on lease lots near residential areas at the airport boundary. The difficulty is in knowing what restrictions are appropriate or how best to apply them until a specific development proposal is made. They don't want to prematurely exclude uses that might be appropriate by imposing requirements that are too rigid.

The airport also has mechanisms to require reasonable setbacks so leaseholders don't build right to the airport boundary.

The MOA would like to consider zoning type standards on airport property near the boundary to address setbacks, etc.

### Airport Noise

FAA indicates that the government does not place the burden of addressing noise solely on the local community. Although airport traffic may continue to increase, government regulations require improvements in technology to reduce aircraft noise. For example, Congress has phased out older, noisier (Stage 2) aircraft. FAA is working with NASA, aircraft engine manufacturers, and others to develop the next generation of even quieter (Stage 4) aircraft.

FAA clarified that the Part 150 Study, in addition to focusing FAA funds for sound insulation, is also intended to help guide offsite land use decisions to help avoid non-compatible land uses from occurring.

Sound insulation will help interior noise, but GA noise is loudest when you're outside in the yard. Unfortunately, there is no consistently effective method to reduce exterior noise levels, especially from overhead aircraft.

There are many different kinds of airport noise based on where you live geographically (e.g. vehicle backup alarms).

### Airport Notifications

There was concern voiced that airport notifications would reduce property values and that requiring sound insulation would require homeowners or builders to bear higher building costs. This is not under the airport's control but would be a decision the MOA would make

weighing these effects against considerations of fair disclosure to buyers and lifestyle enhancements for current and future residents.

#### Other impacts on the Community

Though noise was discussed this evening, there are many other land use impacts that merit consideration, related to both aeronautical and non-aeronautical uses (e.g. traffic). The 2002 TSAIA Ground Noise Study identifies some of these. Questions about the status of implementation were raised.

#### **New Parcels for Discussion . . .**

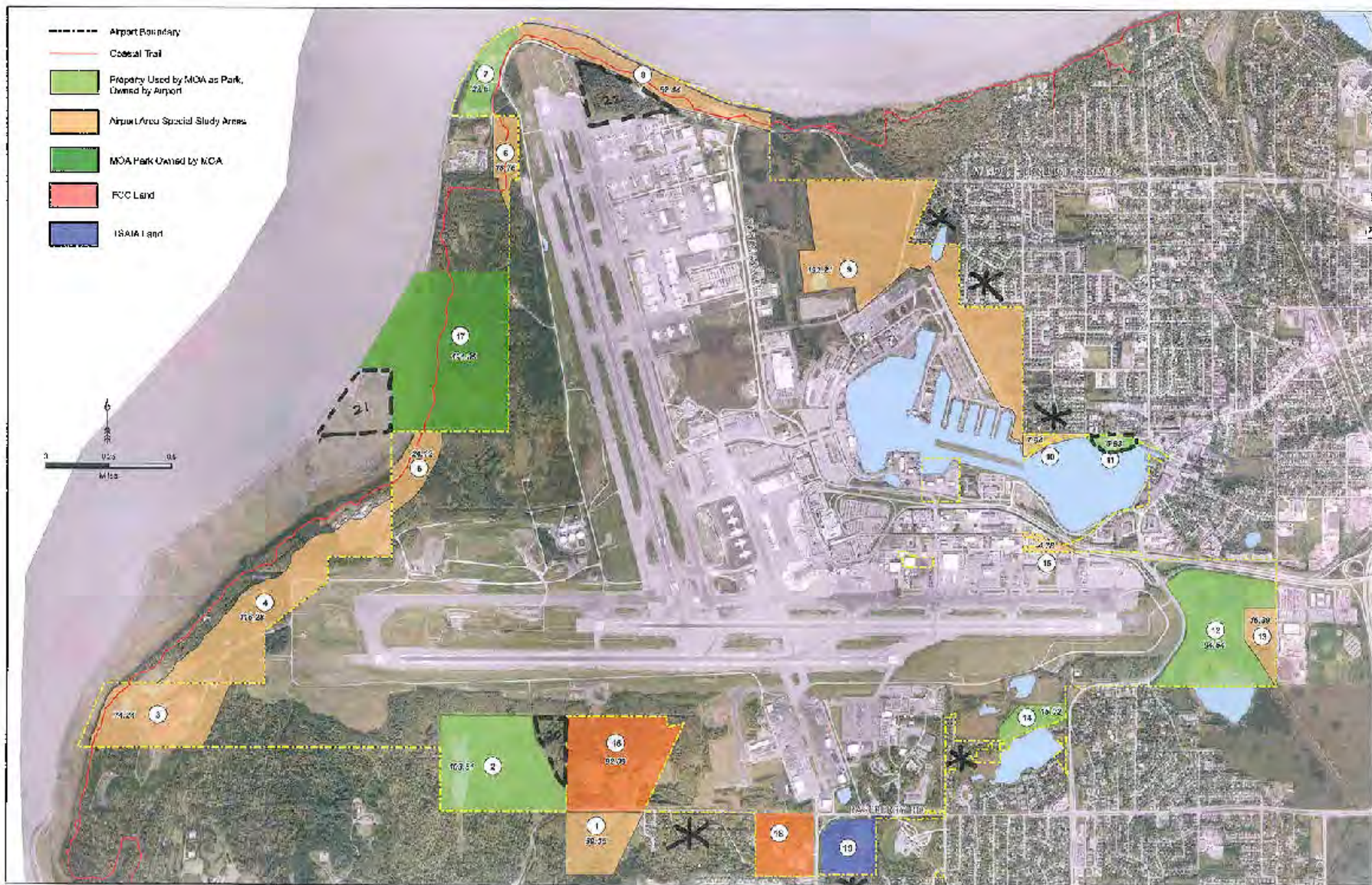
*(See PDF on following page)*

- #20 - What is the history behind the wedge of property between Parcels 2 and 16?
- #21 - Possibly HLB property in the mudflats, west of Parcels 5 & 17.
- #22 - Airport property, open space north of north airpark and south of Parcel 8.

#### **Areas of Potential Concern . . .**

- Residential areas adjacent to Kulis and Delong Lake
- Residential areas south of Parcel 19
- The Raspberry Road corridor into Kincaid Park
- Residential areas along the northeast border of the airport.

*Note: Comments on specific parcels discussed at the first airport workshop on January 7, 2010 have been incorporated into the parcel by parcel summary reflected in the February 10, 2010 workshop notes in order to organize all community comments in one location.*



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**West Anchorage Planning Group Special Session #4**

**Airport Workshop Notes**

**FOCUS ON COMMUNITY CONCERNS & PARCEL DISCUSSION**

**Tuesday, February 10, 2010, 5:30-7:30pm**

**Federation of Community Councils, 1057 W. Fireweed Lane**

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WAPG Members Present:

John Johanson, TSAIA  
Andy Hutzell, Lake Hood  
Ed Fogels, Sand Lake CC  
Tim Pine, Sand Lake CC  
Mike Carlson, At Large Citizen  
Peggy Auth, Spenard CC  
Matt Burkholder, Spenard CC (for Jason)  
Ms. Gleason Gleason, Turnagain CC  
Breck Tostevin, Turnagain CC  
Alli Harvey, ACE  
Mike Mitchell, Alaska Trails & Greenways  
Coalition

Staff Present:

Tyler Robinson, MOA Physical Planning  
Director  
Thede Tobish, MOA Project Manager  
Jon Isaacs, URS Project Manager  
Paul DePalatis, AICP, URS Senior Planner  
Kim Wetzel, URS Planner  
Steve Powell, FAA Safety and Compliance  
Gabriel Mahns, FAA  
Bill Mehner, HLB Executive Director  
Karlee Gaskill, HLB  
Jack Jones, TSAIA Planning  
John Parrott, TSAIA

**SUMMARY OF COMMUNITY CONCERNS . . .**

- 1. The community assumes that airport lands used today for recreation are already permanent municipal parks. Community members that understand these lands are "leased" from the State would like long-term assurance of continued recreational use.*
- 2. The Coastal Trail has a very high value to the community both for recreational purposes, and as a wildlife corridor around the airport. There is interest in protecting the coastal trail from increasing erosion, preserving access points to it, and buffering it from the impacts of the airport to maintain its quality and user experience.*
- 3. The community has an interest in buffering the airport's activities from residential neighborhoods as well as adjacent recreational activities. A visual buffer can effectively make you feel like you're in the wilderness still. It would take further investigation to determine if other buffers (noise, smell, other) are feasible and/or appropriate.*
- 4. The history of Spenard Lake Park is unique and special. The public (residents & tourists) would like ensure long-term public access to the park, even with existing swimming restrictions.*

5. *The value of each parcel was discussed, but not in terms of its relevant importance to other parcels. Therefore, additional discussions would be needed to help broker land trades.*
6. *The 5-year airport master plan cycle for designation of open space/buffers on airport land may be a frustrating process for the public to understand and/or accept.*

## **PARCEL BY PARCEL DISCUSSION . . .**

### **Parcel 1/16 (FCC Parcels)**

*Parcels 1 and 16 presently comprise a single parcel that is owned by the FCC but has been requested for transfer to ANC. The parcel is contiguous to both ANC and Kincaid Park but has been separated for discussion purposes. Parcel 1 is located south of Raspberry Road while Parcel 16 is located north of Raspberry Road. The discussion of this parcel occurred at the January 27, 2010 Airport Workshop but is included here for completeness.*

**Community Perspectives:** Mr. Pine stated that the community would be interested in defining and preserving a visual buffer along both sides of Raspberry Road to maintain an attractive entry to Kincaid Park. (This will apply to Parcels 1, 2, 16, 18, 19.) He also suggested that the MOA investigate transfer of Parcel 1 ownership to the MOA instead of ANC so it could be incorporated into Kincaid Park.

**MOA Perspective:** Neither MOA Parks nor HLB has requested these parcels but there would be an interest in receiving Parcel 1 since it is adjacent to Kincaid Park and south of Raspberry Road.

**ANC Perspectives:** ANC considers Parcel 16 to be valuable for future aviation use. FAA advised that ANC had an interest in both parcels 1 and 16 since they would be directly aligned with a future second N-S runway shown on the current Airport Layout Plan. It is FAA policy that airports seek to influence/control/avoid non-compatible uses adjacent to the airport, especially in takeoff and landing areas.

Parcel 1 is of limited value to ANC due to its location south of Raspberry. ANC would be willing to seek designation of Parcel 1 for non-aviation use, but has no near-term thoughts on what they would do with Parcel 1. Compatible non-aircraft use examples include administrative offices or a post office.

### **Parcel 2 (Little Campbell Lake)**

*This parcel contains Little Campbell Lake, its associated access road, and part of the main route into Kincaid Park. MOA maintains Little Campbell Lake and the road to the lake. This is one of the airport-owned parcels with a lapsed maintenance agreement in holdover status.*

**Community Perspectives:** Ms. Gleason stated that the public is using this as a park, it is being managed as a park and the community expects it to remain a park. Many think the MOA already owns this land.



The community would probably accept a 5 year maintenance lease agreement from ANC if this is the only option.

Several WAPG members described concern about losing access to Little Campbell Lake, a stocked lake.

Preservation of a natural buffer between airport operations and residential is important. This area still feels like wilderness even though it's next to the airport. The wildlife habitat, recreational opportunities, and natural quality of the park cannot be quantified at this time. Kincaid is a world class recreation area that residents love and tourists visit - this is the context the corridor needs to uphold.

**MOA Perspectives:**

MOA Parks would like long-term park use for the area around Little Campbell Lake. It was an entitlement settlement selection.

**ANC Perspectives:**

ANC cannot accept responsibility to maintain the lake or road for public use.

The lease has reached its expiration date, but there has been little motivation on the part of ANC or MOA to change the status quo (i.e. public access and MOA maintenance). So, public use has continued without a formal maintenance agreement renewal.

ANC would be open to a 5-year agreement for public park use. At the end of 5 years, there would be re-evaluation. It does not mean that park use could not continue beyond 5 years, but that ANC would need to reassess aviation needs on all airport lands (including this one) as part of the required airport layout plan (ALP) update. Though unlikely, it could determine that the parcel is then needed for airport use.

Though the airport can't make a long term commitment, there are physical constraints on development of this parcel due to its location relative to the E-W runway and variable topography. For example, this is not an ideal location for a large cargo operation because that type of operator would want easy access to the fuel farm and a lot of room for efficient operations. Also, FAA does not allow direct access to a runway, so a tenant's use of Parcel 2 would require a taxi lane and E-W runway crossing.

**Parcel 3 & 25 (SW corner of E-W Runway Clear Zone)**

*Parcels 3 and 25 are a single parcel selected by the Municipality as part of its State entitlement land (#78). The east and west halves of the parcel have different characteristics and were divided in two for discussion purposes. Parcel 3 was identified for special study on the 2006 land use plan map (P&Z conceptual approval) because it contains a portion of the coastal trail and a topographic break that slopes downward to the west. Parcel 25 comprises the balance of the Municipality's State Selection parcel and was added to the discussion during the February 10 Planning Group workshop. This portion of the site contains variable terrain roughly on grade with the balance of airport land.*

**Community Perspectives:** Ms. Gleason requested that Parcel 25 be identified because it represents the Municipality's entire entitlement act parcel selection. To exclude Parcel 25 loses the community's historic interest in the complete parcel.

The community has an interest in maintaining its use of and access to existing parklands and trails in Parcel 3.

ACE members would be interested in maintaining existing entry points to the Coastal Trail and use of the existing trails in Parcel 3.

**MOA Perspectives:** Federal regulations on airport property make it is unlikely that the State selection will ever be completed. Therefore, the decision was made to focus primarily on Parcel 3 is based on conversations with HLB about land exchange possibilities/priorities. Although both parcels comprise the Municipal entitlement request, Parcel 3 defines a meaningful sub-area containing the Coastal Trail with a topographic break from Parcel 25.

MOA places a higher priority on Parcel 3 as a park because it contains the Coastal Trail along with a buffer. MOA is less attached to Parcel 25 because it doesn't contain the Coastal Trail and has a low probability of being traded by the airport.

**ANC Perspectives:** When asked why the airport allowed the Coastal Trail to be built on airport land in the first place, ANC staff acknowledged they had not been directly involved but presumed that it was out of an interest in being a "good neighbor" and doing something positive for the community. In retrospect, it has created substantial conflicts for the airport that the State didn't anticipate.

Parcel 3 contains portions of the FAA Part 77 imaginary surface (consisting of concentric elevations projecting outward and upward from the airport runway that define the point of obstruction to navigable airspace) for the E-W runway, the new 7R runway, and part of the E-W runway protection zone (RPZ). The parcel map should consider including the RPZ and imaginary surfaces since they show why ANC has an aviation interest in the parcels.

Parcel 3 slopes downhill, so vegetation clearing would not be as extensive as is normally required within a RPZ.

#### **Parcel 4 (West End of E-W Runway)**

*This special study parcel lies outside the airport near the west end of the E-W runway. It begins 300 feet southeast of the Coastal Trail and extends to the airport boundary. It contains Kincaid trails, the Clitheroe Recycling Center and one of the airport tug roads. ANC has a fenced-in easement for this road and a maintenance agreement for the road to the Clitheroe Center. It's a permit renewed annually with no charges associated. This special study area was identified primarily to address conflicts between the airport runway extension and the Sisson Loop trail system which have since been resolved.*



**Community Perspectives:** Continued access to the Coastal Trail is important along with a buffer that maintains the wilderness experience. The community may not object to transferring this parcel to ANC ownership as long as the integrity of the Coastal Trail, an appropriate buffer and continued public use to the Sisson and Kincaid trails are maintained. In addition to visual screening, the effectiveness of buffers to address noise, smell, and wildlife habitat should be considered.

Ms. Gleason stated that a working group had been formed many years ago to determine an appropriate buffer width for the Coastal Trail. However, the task was never completed. Because of this, the 300' buffer width suggested by HLB is arbitrary and does not reflect a consensus from the community.

Ms. Gleason also noted that the public use of recreation within this parcel has been ongoing for a long time and the land should be transferred from HLB to MOA Parks.

**MOA Perspective:** The MOA supports a complete Coastal Trail in Municipal ownership. Parcel 4, as drawn, would retain the Coastal Trail and a 300' buffer in MOA ownership.

MOA has considered the question of buffer width both from the perspective of trail users and the land owner (airport). A buffer might be wider or narrower depending on whose perspective you choose. 300' seemed to strike a reasonable balance, substantial but not excessive.

**ANC Perspective:** This parcel contains the E-W RPZ and safety area. ANC has no interest in acquiring or trading for this parcel because they have already paid \$1,000,000 to the MOA for all the necessary rights to accommodate the E-W runway extension.

#### **Parcel 5 (West Airpark Tract south of Pt. Woronzof Park)**

*This parcel contains a portion of the Coastal Trail but is owned by the State with a month-to-month maintenance agreement to the MOA. The parcel is designed to contain the Coastal Trail plus a 300' buffer.*

**Community Perspectives:** Community interest in this parcel is focused on obtaining ownership of the Coastal Trail. Issues were similar to parcel 4 in regard to buffering.

**ANC Perspective:** The airport has no immediate plans for development and supports a continuous coastal trail. They also realize that buildings shouldn't be built right next to the trail. However, a large buffer would encumber otherwise developable land and trigger FAA requirements to obtain something of equal or greater aviation value in return.

#### **Parcel 6 (Parcel between AWWU and N-S Runway)**

*This parcel is owned by MOA Parks at the "bottleneck" where the AWWU treatment plant, the Coastal Trail, and the N-S runways converge. The parcel is a notch in the airport*

*boundary sandwiched between property owned by the airport on the east and AWWU on the west. This parcel was originally thought to be larger but it was determined that AWWU owned the eastern half containing the coastal trail.*

**Community Perspectives:** This parcel was not discussed specifically.

**MOA Perspective:** This parcel was not discussed specifically.

**ANC Perspective:** This parcel was not discussed specifically, however, it does contain a potential taxiway extension on the current airport layout plan and is presumed to have value to the airport.

### **Parcel 7 (Pt Woronzof Overlook)**

*This parcel contains the Pt. Woronzof parking lot and Coastal Trail. These are maintained by the MOA through an agreement with ANC. The parcel is subject to regular overflights from the N-S runway. The north end of the parcel has been subject to erosion.*

**Community Perspectives:** Would like continued access to Pt. Woronzof Overlook parking, recreational beach and Coastal Trail.

**MOA Perspective:** MOA Parks would like to maintain this area for public use. Parcel as drawn reflects the MOA State entitlement request.

**ANC Perspective:** No future use is planned though this lies at the end of the runway and is important to the airport for that reason.

ANC provides regular policing around the airport which they consider a service to the community. This adds to the existing patrol by the Anchorage Police Department (APD).

### **Parcel 8 (East Side of Pt Woronzof Bluffs)**

*This parcel contains the Coastal Trail and the Postmark Drive parking lot and scenic overlook. Erosion is occurring along the bluff. Identifying the agency responsible for dealing with this has been elusive. ANC does not have the capacity to deal with coastline erosion. They inquired with U.S. Army Corps of Engineers (USACE) who, in turn, passed it to Alaska State DNR because it is within the Coastal Management Zone. The issue has not been resolved.*

**Community Perspectives:** Ms. Gleason pointed out that erosion compromises the future of the Coastal Trail and Earthquake Park. The land is owned by ANC currently, but they are not making provisions to control the erosion.

**MOA Perspective:** MOA Parks would like to retain the parcel for public use, especially the Coastal Trail and Earthquake Park parking lot. MOA would like to reduce erosion and protect fossils in bluff, but is not in their jurisdiction. Parcel is an entitlement settlement request though there is a recognition that Federal regulations on airport property make it unlikely that the State selection will ever be completed.

**ANC Perspective:** ANC not interested in any Earthquake Park land. The road condition is declining on this parcel. ANC has asked ADOT to put in some capital improvement budget line items for it.

### **Parcel 9 (Turnagain Bog)**

*Prior plans have consistently identified the natural and open space value of Turnagain Bog. The old airport master plan designates Turnagain Bog as "park" and "buffer", the adopted 1982 Comprehensive Plan and the former Parks plan calls it parks and open space. The 1996 Wetlands Management Plan, and Anchorage 2020 Comprehensive Plan delineate this area as important wildlife habitat and natural open space. The 2005 Echo Parking Lot environmental assessment (EA) indicates that filling these wetlands would have negative impacts.*

*Ms. Gleason described the 10 year wetlands permit for all of ANC that was revoked by USACE in 2004. ANC uses Klatt bog for wetlands credits when it fills Turnagain bog. The 2001 municipal ordinance (AO2001-151-S2) approving the sale of Klatt Bog development rights to the airport identifies a joint planning process for portions of Turnagain Bog before development can occur.*

*Ms. Gleason asked this extensive history be included in the workshop notes and in the West Anchorage District Plan (WADP) appendix.*

**Community Perspectives:** This parcel contains high-value wetlands. It provides a necessary buffer between Turnagain and ANC and serves valuable ecological function as well as wildlife habitat. Ms. Gleason described the sentiment that this area doesn't need further "study", just protection.

Community has not distinguished which portions of the entire parcel are more important for serve as a buffer to the airport if this parcel were to be subdivided. Ms. Gleason felt a buffer should include all of the undeveloped wetlands.

**MOA Perspective:** HLB would like to see a trail constructed through this property to connect Earthquake Park with Lake Hood. The MOA recognizes the importance of a buffer to the neighborhoods.

**ANC Perspective:** The 2006 GA master plan identifies some portions of Parcel 9 for future GA use.

Any future project would have to go through an Environmental Assessment. Development here needs to balance positive and negative effects. Lost wetlands would have to be mitigated.

ANC has considered ways to buffer the adjacent neighborhood but this is a difficult area to work with. The soils are wet so planting trees doesn't work very well. They have also considered building a wall/fence/barrier or running a path on a berm. ANC recognizes the sensitivity here since airport land directly abuts the neighborhood to the east.

### **Parcel 10 (Northwest Corner of Lake Spenard)**

*After the January 27 workshop, Andy Hutzel (LHD) clarified via email that Lion's Club Park Maintenance Agreement was terminated on 9/8/05. The area is now considered general airport land, however ANC Airfield Maintenance personnel placed the "Lion's Arch" on the property and maintain the picnic area. It is understandable the public might believe the area continues to have some relationship to the Lion's Club, but that is not the case.*

**MOA Perspective:** HLB has ROW in front of the lake. This is something HLB would like to dispose of.

**Parcel 11 (Spenard Beach Park Area)**

*Ms. Auth described the 1936 deed from Joe Spenard granting Spenard Beach Park parcel to the Territory back before the state was in the union. Ms. Auth recalled there was an agreement in the 1970s for (the City of Spenard or the Anchorage Borough?) to maintain Spenard Beach, but this was before the creation of the Municipality of Anchorage. MOA Parks Department documentation describes that starting in 1968, the Spenard Lions Club developed a project to open the park for swimming in the summertime. The original use permit allowed use of the park in summer only, with as many as 800 members of the Anchorage community swimming on the weekends. In the winter, Spenard Beach Park was a popular skating destination. In 1994, the Anchorage airport expanded the number of airplane tie downs in the park, making swimming unsafe. The park is still open, but swimming is not allowed.*

**Community Perspective:** The beach has a rich history, which is important to a city that is so young.

Ms. Auth described that the Spenard CC wants at least one location on the lake where they won't be chased off (without paying the Millenium Hotel or upsetting plane owners). We know it's not a good place to swim, but people can relax there and take photographs of the scenery. There's a fence there now that blocks the view.

Residents value the bike trails and picnic areas around Lake Hood (LHD). There are some safety problems for bikes around LHD that are currently being addressed.

**MOA Perspectives:** Continue maintenance and operation of the State-leased park land.

**ANC Perspective:** Airport land records show that the MOA received Spenard Lake (including the beach) from the Federal Government in 1934. It was subsequently transferred to the State via a warranty deed in the 1970's. Their records do not show any individual (including Joe Spenard) had ever owned the property.

ANC does not have a problem with the public using Spenard Beach as long as people do not use boats, throw sticks to dogs, or go swimming. Lake Hood Seaplane Base (LHD) has considered designs to develop the land.

There will be a study this summer to review the interactions of pedestrians, cars & airplanes at LHD in order to identify places to watch airplane activity. Residents and people who take cruises would also be interested in this. The future of aviation is advanced when young people are able to view aircraft and become inspired about flying when they are older.

### **Parcel 12 (NW Corner Connors Lake Park)**

*This parcel contains Connors Lake, the dog park, a parking area, and multi-use trails. Recreation activities occur in the area along and south of the utility easement, including Connors Lake. The MOA maintenance agreement with ANC (owner) is expired.*

**Community Perspectives:** Many people think the Muni owns this parcel because it has been used for many years as a park. Ms. Gleason described the public would be interested to know the future of this land because the USACE ten year wetland permit did have a proposal to develop here.

There are nesting loons in Connors Lake that are an asset to the city.

This parcel contains less wetland than what had been originally mapped.

Community would be in favor of obtaining the land but placing a conservation easement that would permit long term public recreational use but also assure the airport that incompatible development won't occur. HLB warned, "be careful what you ask for" because conservation easements limit access (i.e. the land might not be usable as a park).

**MOA Perspective:** MOA Parks would like to maintain Connors Lake Dog Park parking lot and public access along utility corridor and south, around Connors Lake. Includes sledding hill, multi-use trails, and off-lease park. This is a State land entitlement selection parcel.

**ANC Perspective:** Parcel 12 contains a major portion of the runway protection zone (RPZ). There is strict direction from FAA to prevent incompatibilities in the RPZ. Whether the airport wants to or not, a land exchange at this location is not an option.

ANC currently has no development interests in the southern portion of the parcel (south of the utility easement and close to the Lake). They do indicate potential development interests in the northern portion of the parcel along International Airport Road.

### **Parcel 13 (East Section of Connors Lake Park Land)**

*This parcel is owned by ANC, but managed by MOA as a snow dump site. MOA initiated negotiations to continue long-term use of the area for snow storage and snow melt. (Melting snow contributes to hydrating the adjacent Connors Bog).*

**Community Perspective:** Snow storage is likely acceptable, but water quality issues and visibility from the recreation areas may be an issue.

**MOA Perspective:** MOA has interest in permanently locating a snow dump here.

**ANC Perspective:** FAA grant assurances impose a commitment to avoid non-compatible uses on this parcel. Whether the airport wants to or not, due to location off end of runway, a land exchange at this location is not an option.

#### **Parcel 14 (Northern Section of DeLong Lake)**

*The land is owned by ANC, but had been under maintenance agreement to MOA Parks. Parcel contains noise contours, so it is not suitable for residential or non-compatible development.*

**Community Perspectives:** Expands public access to DeLong Lake. Not discussed in detail on February 10, 2010.

**MOA Perspective:** Preserve neighborhood park.

**ANC Perspective:** ANC may be interested in trading it because there are no 20-year plans for development in this area.

#### **Parcel 15 (Small Area of ROW)**

*While not discussed during the February 10, 2010 meeting, the ownership of this parcel is MOA\_HLB.*

**Community Perspectives:** Not discussed.

**MOA Perspective:** Would trade for more desirable land.

**ANC Perspective:** Not specified. Acquisition would create more contiguous boundary for ANC for aviation support.

#### **Parcel 16 (FCC owned, see Parcel 1)**

#### **Parcel 17 (Pt. Woronzof Park)**

*This parcel is a designated park and includes a portion of the Coastal Trail. It has access constraints, being cut off by airport land and gating on the north, south and west.*

**Community Perspective:** It is a designated park, but public access to it (other than the Coastal Trail from points north or south) crosses airport property and is restricted. Therefore, the most valuable portion is around the trail, with the wetlands and inland portions being of lower relative value.

Ms. Gleason described the history of this park, that it was created after a land trade between ANC, MOA and the Anchorage School District for a new school site. The creation of this park was hard won by those who were involved and they have a strong sentiment that it should be permanently retained in its entirety.

**MOA Perspective:** The parcel contains no facilities, except the Coastal Trail, because of limited access points. The lack of emergency access (from Pt. Woronzof to Kincaid chalet) is also a concern from the standpoint of safety of recreational users. MOA Parks has given some consideration to the viability of mountain bike trails on the site.

**ANC Perspective:** If this land were available, the airport would be very interested in all of it except a buffer along the Coastal Trail. This land would have high value for aviation use and contains one possible location for a second N-S runway location. Because of this, it is one of the few MOA owned properties with sufficiently high aviation value to make a convincing case to FAA for the exchange for other high value recreation areas on airport land.

**Parcel 18 (SW Corner of Sand Lake & Raspberry)**

*While not discussed during the February 10, 2010 meeting, this land is within the ANC boundary south of Raspberry Road and contains the NOAA Weather Service building.*

**Community Perspective:** This parcel has value to the community because it provides open space adjacent to residential neighborhoods.

As described with other parcels bordering Raspberry Road, the community desires definition of an adequate "buffer" along the Raspberry Corridor. The corridor should preserve vegetation and display the character of a corridor that serves as an entrance to residential neighborhoods and the city's largest park.

**ANC Perspective:** Low interest in development of this parcel because it is south of Raspberry Road (aircraft would not taxi over an arterial) road. Designation of the property as "non-aviation related" is a consideration to attract different tenants.

**Parcel 19 (SE Corner of Sand Lake and Raspberry)**

*While not discussed during the February 10, 2010 meeting, this land is within the ANC boundary south of Raspberry Road and sits adjacent to Kincaid Elementary School.*

**Community Perspectives:** Raspberry Road corridor buffer.

Property is adjacent to Kincaid Elementary School, therefore likely a higher value to the community for appropriate compatible use.

**ANC Perspective:** Low interest in development by ANC because it is south of Raspberry Road. Designation of the property as "non-aviation related" is a consideration to attract different tenants.

**Parcel 20 (Notch between FCC and Little Campbell Lake)**

*Parcels 20 is owned by the airport and is bounded by ANC Parcel 2 and Parcel 16. The question of this parcel's history was raised during the January 27, 2010 airport workshop meeting.*

**Community Perspectives:** Mr. Pine identified this notch and asked about it. Seems related to Little Campbell Lake parcel.

**ANC Perspective:** Future development of South Airpark

### **Parcel 21 (Tidelands Parcel)**

*Parcels 21 is owned by HLB and bounded by Pt. Woronzof Park Parcel 17. It is MOA land composed of mudflats within the State Wildlife Refuge.*

**Community Perspectives:** Ms. Gleason asked whether it could be added to the Parcel 17 park. The request would have to be directed to HLB

**MOA Perspective:** This is mudflat property that is being used (in biological sense) as part of the state refuge. MOA does not want to assume management responsibility because the parcel is not usable and the public access should not be allowed for safety reasons.

### **Parcel 22 (N of North Airpark)**

*This parcel is a hilly, vegetated and owned by ANC on the north end of North Airpark. It is a higher elevation than surrounding land. It was requested during the January 27, 2010 airport workshop meeting to investigate the history of this parcel.*

**Community Perspectives:** The parcel, in its undeveloped state, is a good visual buffer of North Airpark operations. It is the only piece of vegetation left on that portion of the road. Just like on Raspberry, it needs visual buffer. There are 2 eagle active nests and some areas have been cleared along an old utility road.

It doesn't need to be municipally acquired, but Ms. Gleeson hopes ANC would keep a chunk of it off-limits for visual, and bald eagle use.

**MOA Perspective:** None.

**ANC Perspective:** During good economic times, companies/tenants have expressed an interest in leasing this land for large aircraft parking, but right now the interest is gone. The airport does see this area as future expansion land for the North Airpark.

### **Parcel 23 (West of South Airpark)**

*This is a portion of ANC fenced-in property that was requested be added for discussion during the February 10, 2010 airport workshop meeting.*

**Community Perspectives:** As described in relation to other parcels bordering Raspberry Road, the community desires definition of an acceptable visual "buffer" along the Raspberry Corridor.

**ANC Perspective:** This is a part of the expansion area for South Airpark. It would be developed when demand is reached. ANC does not object to a reasonable, mutually acceptable buffer that they can rely on.

### **Parcel 24 (Delong Lake parcels including "tea kettle")**



*A discussion of Parcel 24 was initiated during the February 10, 2010 airport workshop meeting. ANC purchased these properties with Federal noise mitigation funds to keep them from being developed with incompatible residential uses. If ANC were to dispose of these parcels, they would have to reimburse Federal monies.*

**Community Perspectives:** Leave them as open space to serve as buffer from airport activity to the community.

**MOA Perspective:** They might placed into wetlands with a conservation easement.

**ANC Perspective:** ANC does not have any use for these lands but is required to account for the use of Federal Noise funds.

### **Parcel 25 (see Parcel 3)**

#### **GENERAL COMMENTS/QUESTIONS . . .**

Q: Are the entitlement settlement requests realistic? Does the city think it will ever get the lands it wants?

A: Not on Airport property. FAA regulations make the transfer unachievable.

Q: The community desires the resolution of issues in the West Anchorage Plan. What are all the mechanisms for resolution?

A: URS is building a "tool kit" for the WADP that will summarize mechanisms to control the uses of land on and around the airport.

FAA would warn that a firm agreement infers that ANC is being compensated for the land they're giving up. So would the public be willing to now pay to enter this area to compensate for the cost of it?

Ms. Gleason described that if MOA got the land, there are some mechanisms that could provide protection like a zoning designation or conservation easement.

FAA indicates that any transfer of land from ANC degrades its ability to control its use and ensure that future uses will not interfere with aviation activity. Changing a land designation to "non-aviation" requires ANC demonstrate there will never be an aviation use ever, in the future. This is a high bar to reach.

Q: Is ANC nervous about any MOA/private development outside the boundary? This information would help MOA/community with our land use plan.

A: ANC has been very focused on their immediate activities. The noise contours and safety zone are the obvious areas where ANC would not want to see any development. ANC would also be concerned with aviation height contours (though this is rarely a problem) and incompatible land uses in the approach/departure paths. MOA can show the undeveloped parcels under the height overlay, noise contours, and safety zone as part of the WADP.

Q: What would be required to exchange a portion of Point Woronzoff Park to ANC?

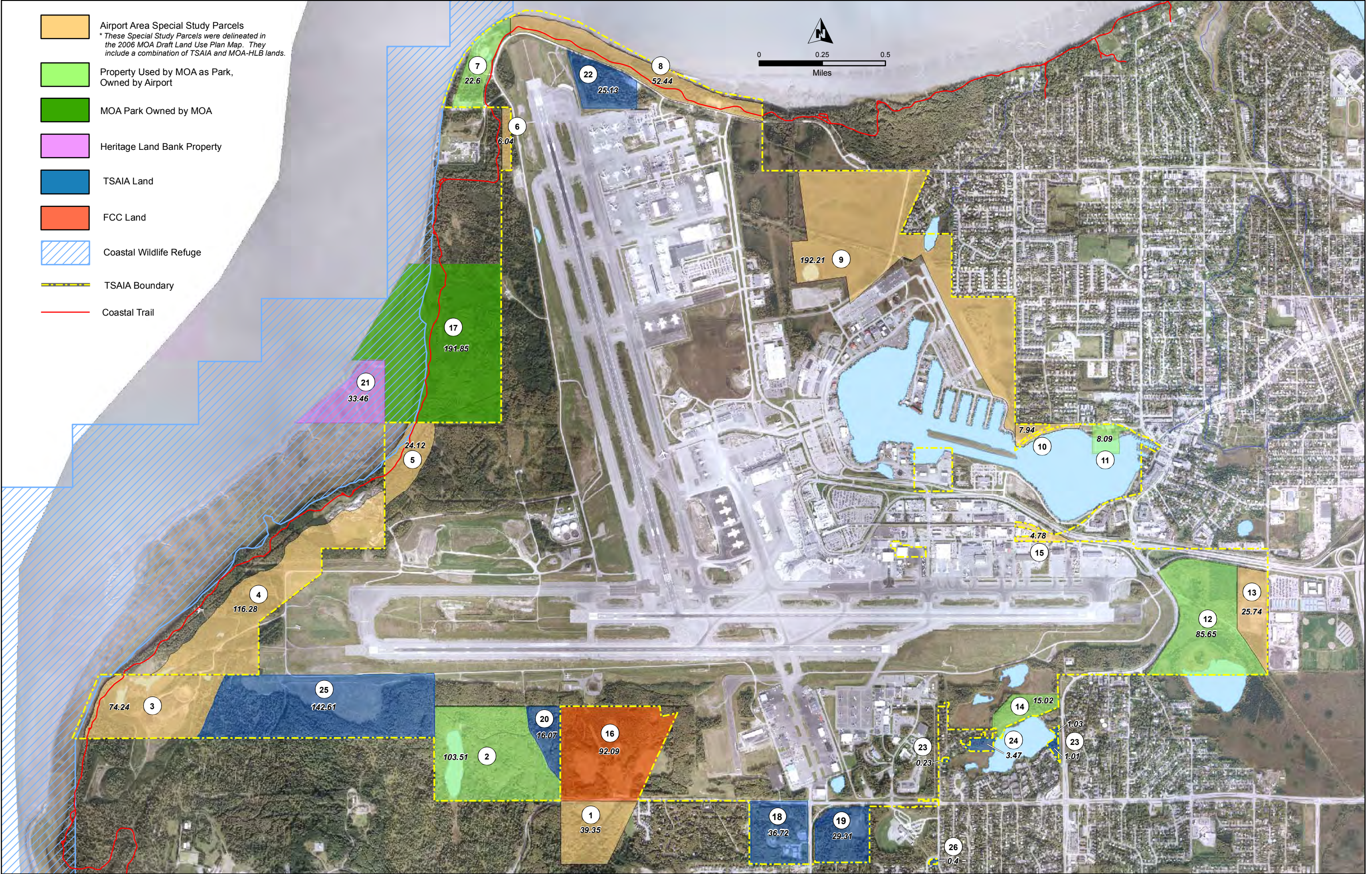
A: It would need to be determined that the lands to be acquired were in the Municipal interest and of equal or higher recreational value. Its removal from park status would require a vote of the people.

Q: What about using Conservation Easements as a strategy for preservation.

A: This might be considered in that the USACE (a federal agency) does recognize conservation easements to be legally binding in the case of wetlands mitigation. There

may be downsides too in that conservation easements can restrict access that could preclude park use.







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## West Anchorage District Plan

### Appendix A-3

#### Key FAA Grant Assurances required of Airport Sponsors

##### What are Grant Assurances?

When airport owners or sponsors, planning agencies, or other organizations accept funds from FAA-administered airport financial assistance programs or receives Federal land, they must agree to certain obligations (or assurances). These obligations require the recipients to maintain and operate their facilities safely and efficiently and in accordance with specified conditions. The assurances appear either in the application for Federal assistance and become part of the final grant offer or in restrictive covenants to property deeds. The duration of these obligations depends on the type of recipient, the useful life of the facility being developed, and other conditions stipulated in the assurances. In general, they include the following major obligations:

- Prohibition of exclusive rights
- Use of airport revenue
- Proper maintenance and operation of airport facilities
- Protection of approaches
- Keeping good title of airport property
- Compatible land use
- Availability of fair and reasonable terms without unjust discrimination
- Adhering to the approved airport layout plan
- Self-sustainability
- Sale or disposal of Federally acquired property
- Preserving rights and powers
- Using acceptable accounting and record-keeping systems
- Compliance with civil rights requirements

Though there are a variety of grant assurances, the local FAA office has identified those below as a good starting point for understanding the kinds of obligations that TSAIA (or any other airport) assumes when it receives funding or land from the Federal Government. The airport does not have a choice but to act in accordance with these. Note their primary focus on ensuring that the Federal government's long term aviation investment is protected and that community concerns are given due process (note the phrases "reasonably consistent" and "fair consideration" in Assurances 6 and 7). These are applied nationwide and can't be changed by a local FAA office or individual airport. The red highlights have been added to assist in understanding the central idea of each assurance.

\*\*\*\*\*

**6. Consistency with Local Plans.** The project is *reasonably consistent with plans* (existing at the time of submission of this application) of public agencies that are *authorized by the State in which the project is located to plan for the development of the area surrounding the airport.*

**7. Consideration of Local Interest.** It *has given fair consideration to the interest of communities* in or near where the project may be located.

**20. Hazard Removal and Mitigation.** It will take appropriate action to assure that such terminal airspace as is required to *protect instrument and visual operations to the airport* (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or

lighting or otherwise mitigating existing airport hazards and **by preventing the establishment or creation of future airport hazards.**

**21. Compatible Land Use.** It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to **restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations**, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

**22. Economic Nondiscrimination.** a. It will **make the airport available as an airport for public use** on reasonable terms and **without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities** offering services to the public at the airport. b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to- (1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and (2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers. c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities. d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport. e. Each air carrier using such airport (whether as a tenant, non tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non tenants and signatory carriers and non signatory carriers. **Classification or status as tenant or signatory shall not be unreasonably withheld** by any airport **provided an air carrier assumes obligations substantially similar to those already imposed** on air carriers in such classification or status. f. **It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft** with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform. g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions. h. **The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.** i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

**23. Exclusive Rights.** **It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services** to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply: a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it **will not**, either directly or indirectly, **grant or permit** any person, firm, or corporation, **the exclusive right at the airport to conduct any aeronautical activities**, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations,

aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

**24. Fee and Rental Structure.** It will maintain a fee and rental structure for the facilities and services at the airport which *will make the airport as self-sustaining as possible* under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

**25. Airport Revenues.** a. *All revenues generated by the airport* and any local taxes on aviation fuel established after December 30, 1987, *will be expended* by it *for the capital or operating costs of the airport; the local airport system; or other local facilities* which are owned or operated by the owner or operator of the airport and *which are* directly and substantially *related to the actual air transportation of passengers or property; or for noise mitigation* purposes on or off the airport. Provided, however, that if covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply. b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator. c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

**29. Airport Layout Plan.** a. It *will keep up to date at all times an airport layout plan* of the airport *showing (1) boundaries* of the airport and *all proposed additions* thereto, together with the boundaries of *all offsite areas owned or controlled* by the sponsor for airport purposes and proposed additions thereto; (2) the location and nature of *all existing and proposed airport facilities and structures* (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of *all existing and proposed nonaviation areas* and of *all existing improvements* thereon. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The *sponsor will not make* or permit *any changes or alterations in the airport or any of its facilities* which are not in conformity with the airport layout plan as approved by the Secretary and *which might*, in the opinion of the Secretary, *adversely affect the safety, utility or efficiency of the airport*. b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities.

**31. Disposal of Land.** a. For land purchased under a grant for airport noise compatibility purposes, *it will dispose of the land, when the land is no longer needed for such purposes*, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, (1) be paid to the Secretary for deposit in the Trust Fund, or (2) be reinvested in an approved noise compatibility project as prescribed by the Secretary, including the purchase of nonresidential buildings or property in the vicinity of residential buildings or property previously purchased by the airport as part of a noise compatibility program. b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested in another eligible airport improvement project or projects approved by the Secretary at that airport or within the national airport system, or (2) be paid to the Secretary for deposit in the Trust Fund if no eligible project exists. c. *Land shall be considered to be needed for airport purposes* under this assurance *if* (1) it may be *needed for aeronautical purposes* (including runway protection zones) or serve as noise buffer land, and (2) the *revenue from interim uses* of such land *contributes to the financial self-sufficiency of the airport*. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989. d. *Disposition* of such land under (a) (b) or (c) *will be subject to* the retention or *reservation of any interest or right* therein *necessary to ensure* that such land will only be used for *purposes* which are *compatible with noise levels associated with operation of the airport*.



# NOTICE OF AIRPORT IN VICINITY

West Anchorage District Plan - Appendix A-4  
Sample Airport Real Estate Notice  
Riverside County, California

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Profession Code 11010 12(A)

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**ANCHORAGE, ALASKA  
TED STEVENS ANCHORAGE INTERNATIONAL AIRPORT  
PERMANENT AVIGATION EASEMENT  
ACQUIRED FROM**

**Bill & Betty Smith**

THIS PERMANENT AVIGATION EASEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by **Bill & Betty Smith**, whose address is **5436 Summer St., Anchorage, Alaska 99502**, (collectively, "Grantor") in favor of the State of Alaska, Department of Transportation and Public Facilities, Ted Stevens Anchorage International Airport ("State"), the address of which is P.O. Box 196960, Anchorage AK 99519-6960.

WHEREAS, the Grantor is the owner of certain land and improvements thereto, hereinafter referred to as the "Premises," located in the Municipality of Anchorage and described as follows:

**Lot 12, Block Z, Sperstad Subdivision, according to the official plat thereof, filed under Plat No. P-288, in the Anchorage Recording District, Third Judicial District, State of Alaska.**

WHEREAS, the State is the owner and operator of the Ted Stevens Anchorage International Airport ("Airport"); and

WHEREAS, the State desires to attempt to decrease aircraft-generated noise levels for residential dwellings of certain persons such as the Grantor residing within close proximity of the Airport by implementation of a Residential Sound Insulation

Program (the "Program,") which has been approved by the Federal Aviation Administration; and

WHEREAS, as a condition to participating in the Program, the Grantor is required to grant to the State a permanent easement for Avigation purposes as provided herein; and

| WHEREAS, the Grantor desires to participate in the Program

NOW, THEREFORE, intending to be legally bound hereby, the Grantor and the State agree as follows:

1. The Grantor, for the Grantor and for the Grantor's heirs, representatives, executors, administrators, and assigns and all successors in interest, in consideration of the State's agreement to assist with certain modifications and installations on the Premises for noise-impact reduction purposes pursuant to the Program, the receipt and sufficiency of which are hereby acknowledged, convey and warrant to the State, its successors, and assigns, a permanent and non-exclusive easement and covenant for the free and unobstructed use and passage of aircraft over and in the vicinity of the Premises, unlimited as to frequency, volume, type or size of aircraft, time of day and proximity, together with the generation and presence of such noise, vibrations, odors, fumes, smoke, dust or other particulate matter and other effects of the normal operation of aircraft or generally or often incident to the operation of aircraft, and any disruption, stress, interference with sleep or communications, or other effects of operation of aircraft over or in the vicinity of the Premises or of operation of the Airport or of aircraft landing at, taking off at or otherwise using the Airport for flight or ground activities ("this Easement"). This Easement shall be appurtenant to and for the benefit of

Sections 28 and 33, Township 13 North, together with such other portions of Townships 13 North and Township 12 North, Range 4 West, Seward Meridian, Anchorage Recording District, Third Judicial District, State of Alaska comprising and managed as part of the Airport, and together with any additional lands or interests hereafter so managed

("Benefitted Property"), for the benefit of the State, its successors, assigns, guests, and invitees, including any and all persons, firms, or corporations operating aircraft to or from the Airport. The burdens and conditions of this

Avigation Easement – Bill & Betty Smith

Easement shall run with the land, both the Premises and the Benefited Property, and be binding upon and enforceable against all successors in right, title, or interest to the Premises.

2. As used herein, the term "aircraft" shall mean any and all types of contrivances, whether now in existence or hereafter invented, manufactured, developed, operated, or otherwise used for air navigation or flight in air or space and shall include, but is not limited to, jet aircraft, propeller-driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters, and all other types of craft or vehicles now in existence or hereafter manufactured and developed for the purpose of transporting persons or property through the air.

3. As a benefit appurtenant to this Easement, the Grantor, on behalf of the Grantor and the Grantor's heirs, representatives, executors, administrators, assigns and all successors in interest, hereby forever waive, release and discharge the State, and any and all persons related to the State, including, but not limited to, all directors, officers, managers, agents, representatives, servants, employees, and lessees of the State, from any and all claims, demands, damages, debts, liabilities, costs, attorneys' or experts fee, or causes of action of every kind or nature (except as expressly reserved below) for which the Grantor, the Grantor's heirs, representatives, executors, administrators, assigns, and all successors in interest currently have, have in the past possessed, or will in the future possess, relating to each and every use authorized under this Easement, whether occurring before or after the effective date of this Easement, including, but not limited to, damage, loss of value, or loss of appreciation to the Premises, to real or personal property on the Premises or to contiguous real or personal property, or physical, psychological or emotional injury, inconvenience or discomfort to Grantor or Grantor's guests or invitees or any other person, animal or other living thing due to noise, vibrations, odors, fumes, smoke, dust, fuel, particles, or other particulate matter and other effects of the normal operation of aircraft or generally or often incident to the operation of aircraft, and any disruption, stress, interference with sleep or communications, or other things actually or perceived to be incident to or resulting from ordinary aircraft operation over or in the vicinity of the Premises and other effects of the operation of the Airport or of aircraft landing at, taking off at, or otherwise using the Airport for flight or ground activities. This waiver, release and discharge expressly excludes and reserves to the Grantor and to the Grantor's heirs, representatives, executors, administrators, assigns and all successors in interest claims, demands, damages, debts, liabilities, costs, attorneys' or experts fee, or causes of action for physical damage or personal injury caused by any aircraft or part of any aircraft using the Easement that does identifiable physical damage to

the Premises or injury to a person on the Premises by coming into direct physical contact with the Premises or the person on the Premises.

4. The Grantor covenants that the Grantor is the owner in fee simple of the Premises, and that at the time of signing this Easement, the Grantor has full ownership rights and powers to convey this Easement, free and clear from all other grants, bargains, sales, liens, taxes, assessments, and encumbrances of whatever kind or nature, excepting only the interest of any expressly consenting mortgagee or lienholder disclosed in writing to the Grantee, and the Grantor covenants with the State, its successors, and assigns, to warrant and forever defend them against the claims of every person to any right or title adverse to this Easement herein granted. Each consenting mortgagee or lienholder consents to Grantor's covenants in this paragraph but does not so covenant itself.

5. The Grantor agrees that the Grantor shall bear and be responsible for all costs of maintaining and operating any sound attenuation materials and equipment installed on the Premises by or on behalf of the State. This covenant shall run with the land and shall be binding upon the Grantor and their heirs, successors, and assigns.

6. This Easement shall be interpreted and construed according to the laws of the State of Alaska.

## DEPARTMENT OF THE ARMY PERMIT

Permittee Ted Stevens Anchorage International Airport, Alaska Department of Transportation and Public Facilities

Permit No. 4-990779, Turnagain Bog 4

Issuing Office U.S. Army Engineer District, Alaska

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** Discharge up to 5.5 million cubic yards of classified fill into 218.4 acres of wetlands to meet existing and future demand for aviation and aviation-related services at the Ted Stevens Anchorage International Airport.

All work will be performed in accordance with the attached plans, 50 sheets.

**Project Location:** At the Ted Stevens Anchorage International Airport, Wetland Units 26, 26A, 26B, and 26D [Anchorage Wetlands Management Plan Revision, April 1996], sections 21, 27, 28, and 33, T. 13 N., R. 4 W., Seward Meridian, Anchorage, Alaska.

### Permit Conditions:

#### General Conditions:

1. The time limit for completing the work authorized ends on April 30, 2011. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. Compensatory Mitigation Requirement: Compensatory mitigation shall be required to offset the loss of up to 245 acres in Turnagain and Postmark Bogs (this includes nonwetland inclusions). This loss has been calculated to be equivalent to up to 143 debits using the Anchorage Debit-Credit Method, dated June 10, 1999 (Attachment 2), developed by an interagency group including the Alaska District, EPA, USFWS, and the Municipality of Anchorage (calculated on August 31, 1999). The approved compensatory mitigation plan will consist of

Continued on 2A, 2B, 2C, 2D, 2E, 2F, 2G, & 2H.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorization required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.



Special Conditions Continued:

acquisition, preservation, and restoration (rehydration) of Klatt Bog, affecting up to 243 acres of Klatt Bog wetlands. This mitigation has been calculated to be equivalent to up to 157 credits. No work authorized by this permit may occur until credits sufficient to offset each development's debits have been earned by the Airport and approved by the Alaska District in consultation with EPA, USFWS, and the Municipality of Anchorage. While not part of this permit, the snow disposal site (authorized by Turnagain Bog 3, 4-990058, obligated 13.2 credits; DA permit, V-950973, for 0.78 acre of fill further obligated use of mitigation credits, and DA permit (Airplane Hangars, Inc., B-990935, obligated 0.46 credit. The permittee may propose alternative compensatory mitigation measures (i.e., acquisition, preservation, restoration and/or enhancement) in addition to or instead of those described for Klatt Bog, but it may not be of less value than the proposed Klatt Bog mitigation project. Credits for such actions will be determined on a case-by-case basis by the Alaska District in consultation with the resource agencies. Major changes in the mitigation plan, i.e., those affecting more than 3 credits, would require a DA permit modification with either a DA public notice or 15-day agency letter.

Acquisition/Preservation: The permittee shall facilitate the permanent preservation of at least 243 acres of wetlands in Klatt Bog. The preservation area, depicted on Sheet 40 of 50, includes 83 acres of formerly private lands and 160 acres of Municipal (Heritage Land Bank) land. Within one year of permit issuance, the permittee shall provide written documentation of preservation of the area through a conservation easement, title restriction, or other legal means of preservation that ensures that the land may not be developed, cleared or otherwise altered, except for habitat enhancement, restoration, or public access/educational improvements that a) will not diminish the wetland functions and values, and b) are approved by the Alaska District in consultation with EPA, USFWS, and the Municipality of Anchorage. Any developed public access proposal will require a DA permit modification with either a DA public notice or 15-day agency letter. No developed access will be allowed, which would result in unmitigated adverse impacts to wildlife habitat. The conservation easement information shall be transferred to all pertinent legal documents that may include deeds of trust and land title. The permittee shall seek to gain water rights in Klatt Bog and to have the existing Municipal and State utility easements and road rights-of-way in Klatt Bog vacated, and shall report to the Alaska District on the outcome of this effort within one year of permit issuance. The permittee shall also request that the Municipality of Anchorage redesignate the preservation area as "A" wetlands under the Anchorage Wetlands Management Plan Revision. The described preservation will provide a total of 83.8 credits, which will be available once the mechanism of permanent preservation has been approved by the Alaska District in consultation with the resource agencies.

Restoration: The permittee shall undertake the rehydration of Klatt Bog, particularly those areas with patterned ground, approximately 161 acres of Klatt Bog, as described below. The permittee shall develop a restoration plan to address the loss of surface and ground water to achieve a higher

water level within Klatt Bog without adversely affecting water levels in developed areas outside the bog. This plan shall be subject to a DA public notice review process and must be approved by the Alaska District in consultation with the resource agencies. The rehydration plan will likely include construction of a dike along the northwest portion of Klatt Bog, adjacent to the Concord Hills Subdivision to capture the spring snowmelt runoff that now flows through a gap in the dike system at the south end of Constitution Street, and installation of a grout curtain or similar measures to successfully block groundwater outmigration through sand lenses to surrounding residential areas. In the event that heavy equipment is needed to place any restoration measures in wetlands, work must be done in winter using best management practices to protect the bog vegetation.

The restoration is expected to provide up to 73.4 credits, as calculated by the Anchorage Debit-Credit Method. These credits will be available in stages. One quarter of these credits (18.4 credits) will be awarded after successful review and approval of the restoration plan by the Alaska District. This rehydration plan shall be submitted to the Alaska District within one year of permit issuance. Another quarter of the credits will be awarded after successful construction of the dike segment along the northern portion of the bog, adjacent to the Concord Hills Subdivision at Constitution Street, and any other construction activities like the grout curtain needed to implement the restoration plan. The rehydration measures, most likely the grout curtain and dike segment, shall be constructed within two years of approval of the rehydration plan by the Alaska District. In the event that additional monitoring well data are needed prior to construction, the permittee may submit a request for an in-house modification to the Alaska District to allow more time. The remaining half of the rehydration credits will be awarded based upon the success of the rehydration effort.

The availability of the last half of restoration credits will be assessed yearly, beginning after two complete growing seasons, and will be based on a determination of the areal extent of successful rehydration. This determination shall be made on or about July 15 of any given year. If after three years of monitoring, surface water occurrence in flarks can be correlated with monitoring well levels (see Sheet 48 for locations); monitoring well levels may be used thereafter to judge success. It is understood that acceptable levels of rehydration may be present in some areas and not in other areas. The Alaska District will invite representatives of EPA, USFWS, and the Municipality of Anchorage Wetlands Coordinator to visit the site with the permittee for the July monitoring visit. After each July site visit, water levels in designated flarks will be reviewed with the permittee by the Alaska District, EPA, USFWS, and the Municipality of Anchorage Wetlands Coordinator to determine what percentage of each polygon shall be considered successfully rehydrated and consider what, if any, additional measures are necessary to accomplish rehydration. Credits for restoration will be awarded incrementally based on areal extent of successful rehydration. Rehydration will be judged a success when free water is present at the surface within designated flarks (see Sheet 48 for locations). Credit may only be given if free water, defined as water present in the soil interstices (pores), is visible at the soil surface for at least two out of three consecutive years on or about July 15. This

standard reflects the restoration objective, which is extending the period in which surface water is present in the flarks into the critical nesting period and maintenance of sufficient water in the substrate to support patterned bog vegetation. The monitoring wells shall be monitored monthly from May through September for ten years from the implementation of the rehydration plan. An annual report on the status of rehydration in Klatt Bog will be provided in September of each year for ten years.

2. Limitation of Activities Allowed in East Turnagain Bog: The only discharge of fill authorized under this permit in East Turnagain Bog, which is defined as Airport-owned land east of the existing Aircraft Drive and north of Lake Hood, are safety improvements to the gravel runway, general aviation taxiways, airport fencing and buffer areas improvements which could include a berm, trail, noise barriers and landscaping. Any other proposed discharge of fill in this area will require further authorization from the Alaska District.

3. Maintenance of Hydrologic Pattern in East Turnagain Bog: Any construction in East Turnagain Bog shall be designed and constructed to maintain existing water flow patterns, to include the use of permeable fill material, as well as culverts placed at appropriate intervals to prevent blockage of surface water runoff. The Lake Hood gravel airstrip safety area shall be constructed entirely of non-frost-susceptible, permeable material placed as fill over the existing wetlands.

4. Maintenance of Hydrologic Pattern in North and South Turnagain Bogs: All developments, including new utilities and facilities constructed atop existing or abandoned utility lines, must be designed, constructed and operated to prevent formation of a conduit for ground water and/or disruption of existing flow patterns. Gaps where the native material is retained shall be maintained between fill prisms of material with greater flow conductivity than the native material to prevent formation of a conduit for the ground water and disruption of the existing flow patterns. If necessary, clay plugs or other impermeable barriers shall be installed to prevent negative alteration of existing groundwater flow patterns.

5. Monitoring Groundwater Levels at Turnagain Bog: Temporary monitoring wells (refer to Sheet 32, showing locations of wells) shall be installed prior to conducting any work authorized by this permit to gather additional groundwater data and to monitor any potential changes resulting from development under this permit. Baseline and annual water level measurements and corresponding precipitation data will be taken from these and the twelve existing monitoring points in Turnagain Bog in May, June, and July, with sampling occurring near the start of each month. Once 5 years of data are collected, AIA will submit a report and analysis to the Alaska District, which will review these with USFWS, EPA, the MOA Wetland Coordinator, ADFG and ADGC to determine if the hydrology has been adversely affected and whether corrective measures are required. If the hydrologic pattern outside the permit area in Turnagain Bog has been adversely altered by activities conducted under this permit such that the undisturbed bog area is drying, then measures that would restore the existing water levels, such as trench plugs in the AWWU water line or a weir on outfalls from Turnagain Bog, shall be required.

6. Compliance with Other Laws: Nothing in this permit shall be construed as excusing the permittee from compliance with other Federal, State, or local statutes, ordinances, or regulations which may affect the proposed work.

7. Restriction on Land Uses Allowed: Only land uses described in the "revised list of land uses", Sheets 3 and 4, will be allowed in areas filled under this permit. All other uses must be authorized under a different DA permit. All development must be consistent with the current AIA Master Plan to ensure that available nonwetlands and low-value wetlands are used for critical airport functions. Rental car facilities are not an authorized use under this permit.

8. Prohibition on Increase in Wheeled Aircraft Tiedowns: This permit authorizes the construction of a new general aviation year-round wheeled aircraft tiedown area in the general aviation sub-area of the permit. For each new general aviation year-round wheeled aircraft tiedown constructed under this permit in the general aviation sub-area, whether on a leased area or an Airport-administered area, one existing general aviation year-round wheeled tie-down will be removed from Alpha, Bravo, or Charlie Tiedown areas.

9. Timing Window: To prevent impacts to nesting birds, no land clearing, fill placement, excavation, or other construction activities will be initiated between April 15 and July 31, except at sites which have been sufficiently disturbed by April 15 to eliminate suitable nesting habitat, and on which continuous activity will occur through June 15. As each site may require different site preparation techniques, e.g., mechanical vegetation clearing, grubbing, peat excavation, "sufficiently disturbed" and "continuous activity" can be further defined at the preconstruction briefing and in coordination with Federal, State, and Municipal agencies. Exceptions to this timing window condition will only be granted on a case-by-case basis after review and approval of the Alaska District in consultation with the resource agencies.

10. Sediment and Water Quality Control: Sediment and water quality control measures like silt fences shall be placed and maintained at the toe of all fill and stockpile areas adjacent to wetlands or other waters to prevent the introduction of sediments into surrounding waters and wetlands. These measures shall remain in place until the new fill slopes are revegetated and permanently stabilized against erosion. Control measures shall be in place prior to placement of fill or stockpiles.

11. Slope Stabilization: Exposed materials finer than gravel that will remain in place for longer than a two-week period must have side slopes no steeper than 2:1 and must be treated with temporary erosion protection, e.g., hydroseeding, mulching, jute matting, until such time as permanent protection is achieved, e.g., through vegetation or paving. Areas to be vegetated must be planted during the growing season following fill placement and must be planted with species native to the Anchorage area. Species used must not include those known to be attractive to potentially hazardous wildlife, such as Canada geese. Invasive species, such as Calamagrostis canadensis, shall not be used for revegetation. The use of fertilizers in areas draining to freshwater wetlands or ponds shall be the minimum necessary to achieve success. Planting plans shall include details such as species and fertilizers to be used, methods and rates of planting and application, as well as watering

and monitoring schedules. If by the middle of the second growing season, less than 50% cover has been achieved, the project proponent must immediately implement a remedial revegetation plan and provide a copy of it to the AIA.

12. No Disturbance Outside Permitted Area: Clearing and other disturbance of native vegetation must be strictly limited to each project's approved development footprint, and these limits must be prominently staked, flagged and/or fenced prior to commencement of work and maintained until work is completed, to deter encroachment and limit physical disturbance beyond them. Disturbances associated with construction, e.g., the operation of equipment, placement of temporary stockpiles, etc., must be confined to the footprint of the area to be developed if at all practicable, otherwise, they must be limited to the minimum area necessary to accomplish the project. In no case may such disturbance extend beyond the development footprint authorized by this permit. The limits of construction for each project will be identified at the preconstruction meeting.

13. Restriction on Location of Utilities: This permit does not authorize work to install utilities in wetlands or other waters outside the permitted development area. Utilities for the permitted development should avoid these areas. If avoidance is not practicable, utility installation that involves the placement of fill or back fill in waters of the U.S. would require additional permitting, which should be obtained prior to initiation of other site work, e.g., clearing, placement of fill, etc., for the development.

14. No Disposal of Waste Materials: The permit does not authorize projects with the primary purpose of disposing of excess materials, including materials excavated from other construction sites. Excess materials may, however, be discharged in Postmark Bog as part of the long-term site preparation for a runway access area use.

15. No Use of Inappropriate Fill Materials or Unauthorized Disposal Sites: No contaminated fill or other materials unsuitable for fill may be discharged in the areas covered by this permit. All material excavated from the areas covered by this permit shall be disposed of in a nonwetland site or where the Department of the Army has authorized discharge under Section 404 of the Clean Water Act.

16. Treatment of Stormwater Runoff: Runoff from developed areas must be directed through treatment measures prior to discharge in waters of the United States, including wetlands. If biofiltration swales are used, vegetation shall be with native species. Treatment areas should be separated from patterned ground or ponds by at least 50 linear feet of scrub-shrub wetlands for additional natural filtering. The maintenance schedule shall include appropriate measures to maintain the effectiveness of treatment systems and minimize the flushing of contaminants into receiving waters.

17. Annual Performance Review and Hydrology Reports: The permittee will submit an annual performance review of activities that occurred under the permit to document with a map and narrative the extent of fills and types of use, as well as the debits associated with the development and information on the relative ecological values of the areas filled. In addition, the report will discuss any known upcoming projects for the coming year, i.e., AIA Capital Improvement Projects and committed tenant developments. It is understood that

unforeseen tenant developments will not be included in the report; however, interested parties will be notified of new tenant projects through the lease public notice process (see Special Condition 19). Further, annual reports shall be submitted no later than January 15, to the Alaska District, with copies furnished to the USFWS, EPA, ADGC, and Municipality of Anchorage Office of Community Planning and Development.

18. Prohibition on Speculative Fills: To better ensure that activities authorized under this permit meet clearly demonstrated needs, evidence of a Municipality of Anchorage (MOA) building permit or MOA fill permit or listing in the annual report as a State-sponsored project shall be required prior to commencement of construction under this permit. Any project which cannot meet this condition would require approval on a case-by-case basis with review and approval by the Alaska District in consultation with the resource agencies.

19. Notification of Proposed Development: The permittee shall distribute a "Notice of Development Under Long-Term Permit" to the Corps, EPA, USFWS, ADGC, and the MOA Wetland Coordinator, adjacent community councils (Turnagain, Spenard, and Sand Lake), and the AIA Citizen Advisory Committee, whenever the permittee is issuing a 30-day public notice on an AIA lease proposal, lease renewal, or material amendment to an existing lease within the permit area; thus, the public will have the opportunity to comment on the appropriateness of use. For Airport-sponsored projects, the Airport will also distribute a "Notice of Development Under Long-Term Permit" to these parties. The Notice of Proposed Development shall include a discussion of how the proposed development is consistent with the analysis of secondary impacts based on the proposed development scenario. Only the Postmark wetland (Wetland Unit 26D) with its well-established, runway-dependent use may be filled prior to final lease negotiations in which the permissible uses to which the tenant may put the property are delineated in compliance with the land uses allowed by this permit.

20. Pre-Construction Meetings: Prior to any clearing or fill, the Airport or its lessees will notify and, unless specifically waived by the agency, must meet with State and Federal agencies to ensure compliance with this permit. At the preconstruction meeting the project proponent will identify the source of fill to be used and the disposal site for any excavated material. Further, a revegetation plan shall be submitted to the Corps for approval at the preconstruction meeting; the revegetation plan should include species, fertilizer use rates, as well as watering and monitoring schedules. In addition, the need for visual screening and fencing between the proposed development and Turnagain Bog proper will be reviewed on a case-by-case basis.

21. Transportation Demand Management Plan: Within one year of permit issuance, the permittee will submit a Transportation Demand Management Plan (TDMP), which will identify measures to address commercial truck traffic on West Northern Lights Boulevard and measures to address overall Airport-related traffic. The TDMP shall be developed in consultation with the Municipality of Anchorage and the Airport Community Advisory Council and shall be implemented as an Airport Bulletin/Operational Order when complete. Copies of the TDMP will be provided to tenants and will be referenced in tenant leases within the permit area.

22. Restriction on Area Included under this Permit: This permit authorizes work in Postmark and Turnagain Bogs as shown on Sheet 2. Any development outside these areas is not authorized under this permit and would require a separate permit process. No work is authorized under this permit without further DA public notices west of the existing north-south runway or in Connors Bog east of Jewel Lake Road.

23. General Aviation Noise Reduction: New general aviation tie-down locations shall be oriented such that the fronts of aircraft are not directed towards residential areas to reduce directional noise from piston-engine aircraft that is greater towards the front of the aircraft.

24. Reduction of Emissions at New Cargo Facilities: To reduce air and noise emissions, leases for new cargo facilities in the areas covered by this permit shall require that ground power be provided for use by airlines using the facility to reduce the use of Auxiliary Power Units (APUs) during cargo ramp operations with their associated noise and air pollution. To the extent practicable, new cargo facilities shall be designed with the building located between the aircraft ramp area and residences in the east or will incorporate construction of a sound barrier where this may be effective to reduce noise propagation. New leases, and, where practicable, lease renewals for cargo facilities shall require that the exhaust ports of APUs not be directed toward the closest residential area.

25. Further Noise Reduction: Use of ambient sensitive backup alarms or alternatives to backup alarms shall be required in new leases and lease renewals for development under this permit.

26. Phasing: No fill shall be placed east of the proposed Logistic Drive north of the Airport snow disposal site until 75% of the area along the west side of proposed Logistic Drive has been leased. Any project which cannot meet this condition would require approval on a case by case basis with review and approval by the Alaska District in consultation with the resource agencies.

27. Visual Screening at Permit Boundary: As parcels along the eastern and northern boundaries of the permit area in Turnagain Bog proper (i.e., between Postmark and Aircraft Drives) are filled, visual screening along the permit area boundary shall be developed. Screening will consist of a fence at least six feet in height and native woody vegetation to reduce access to and indirect impacts on the wetlands outside the permit area. Native woody vegetation that is not attractive to moose, such as thinleaf alder, shall be live-staked along the exterior of the fence to provide visual buffering between the developed and non-developed areas. The need for and details of vegetative screening for projects west or south of the project boundary in Turnagain Bog proper, e.g., when the natural vegetation does not provide a visual screen, shall be determined during the pre-project review, described in Special Conditions 19 and 20. Project-specific relocations of or changes to the fence shall also be addressed at that time.

28. Setback Around Turnagain Pond: A 100-foot setback shall be maintained around Turnagain Pond except in cases where the use is particularly disturbing to wildlife, in which case a 150-foot setback shall be required. Activities that are primarily enclosed within a building where associated traffic is

limited, i.e., without frequent pick-ups and deliveries, may have a 100-foot nondisturbance setback from Turnagain Pond. Activities occurring primarily outside buildings or where there is frequent traffic, shall be constructed with a 150-foot nondisturbance setback. Further, any dumpsters shall be properly maintained such that scavenger birds like gulls are not attracted. No clearing, excavation, construction, or vehicle or equipment storage are allowed in the nondisturbance setbacks.

29. Best Management Practices: The Airport shall ensure that AIA Best Management Practices described on Sheet 33, shall be implemented on all projects conducted under this permit, regardless of whether the project is State-sponsored or tenant-sponsored. A log of inspections of all activities conducted under this permit shall be provided for review to the Alaska District prior to the annual meeting.

30. Duration of Permit: At the end of ten years, the Alaska District shall issue a public notice soliciting comments prior to making a determination concerning any time extension on this permit.



e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

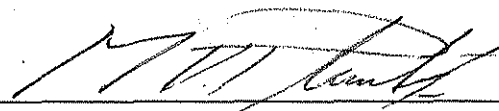
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

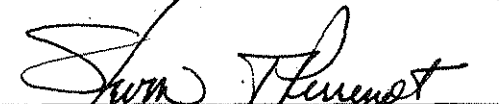
6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
(PERMITTEE) AND TITLE

04/05/2001  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
(DISTRICT ENGINEER) COL STEVEN T. PERRENOT

5 APR 2001  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)

Turnagain Bog 4  
Attachments to Permit

Sheet 1: Project Vicinity Map

Sheet 2: Wetland Areas Proposed for Development

Sheets 3-4: Revised List of Land Uses Allowed in Subareas

Sheets 5-10: Development Scenario and Near-term AIA CIP Projects

Sheets 11-18: Typical Sections for Proposed Developments

Sheets 19-20: Map (reduced) of Turnagain and Postmark Bogs showing locations of numbered polygons referred to in debit/credit spread sheets

Sheets 21-30: Estimated Wetland Debits at AIA

Sheet 31: Airport Wetlands under AWMP Classification

Sheet 32: Turnagain Bog Monitoring Well Locations

Sheet 33: AIA Best Management Practices

Sheets 34-36: AIA Wetland Inspection Form

Sheets 37-39: Ted Stevens Anchorage International Airport Memorandum, dated March 26, 2001, Implementation of Proposed 10-Year Permit Conditions on Secondary Impact Mitigation

Sheet 40: Klatt Bog AWMP Wetland Designations

Sheet 41: Klatt Bog Agency Wetland Designations

Sheets 42-43: Map (reduced) of Klatt Bog showing locations of numbered polygons referred to in debit/credit spread sheets

Sheet 44-47: Estimated Klatt Bog Preservation Credits

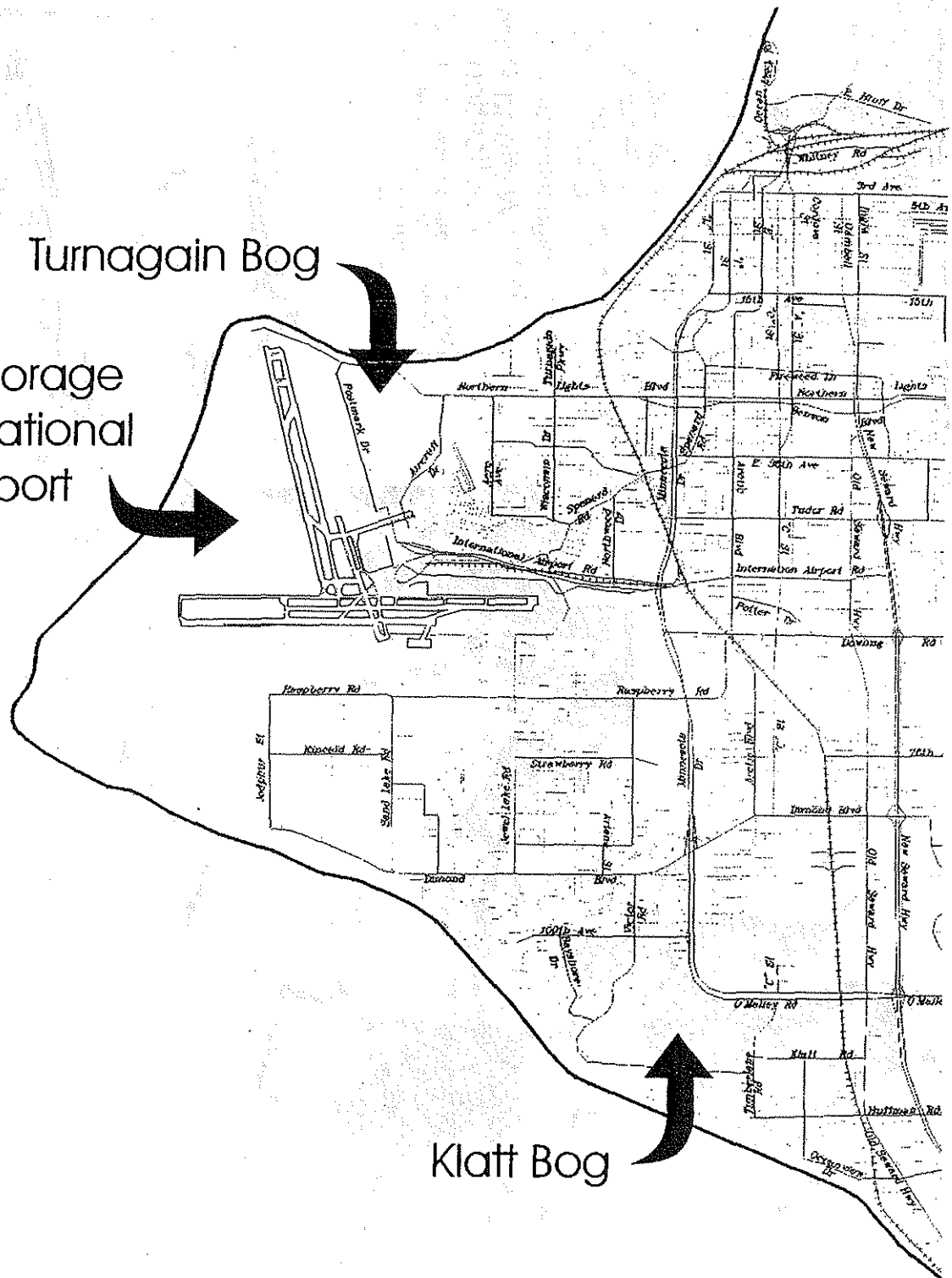
Sheet 48: Map of Klatt Bog showing locations of monitoring wells and flarks to be used for evaluation of rehydration success

Sheet 49: Estimated Klatt Bog Rehydration Credits

Sheet 50: Summary of Credits from Klatt Bog Mitigation

Turnagain Bog

Anchorage International Airport



Klatt Bog

ANCHORAGE INTERNATIONAL AIRPORT  
10-YEAR WETLAND PERMIT APPLICATION

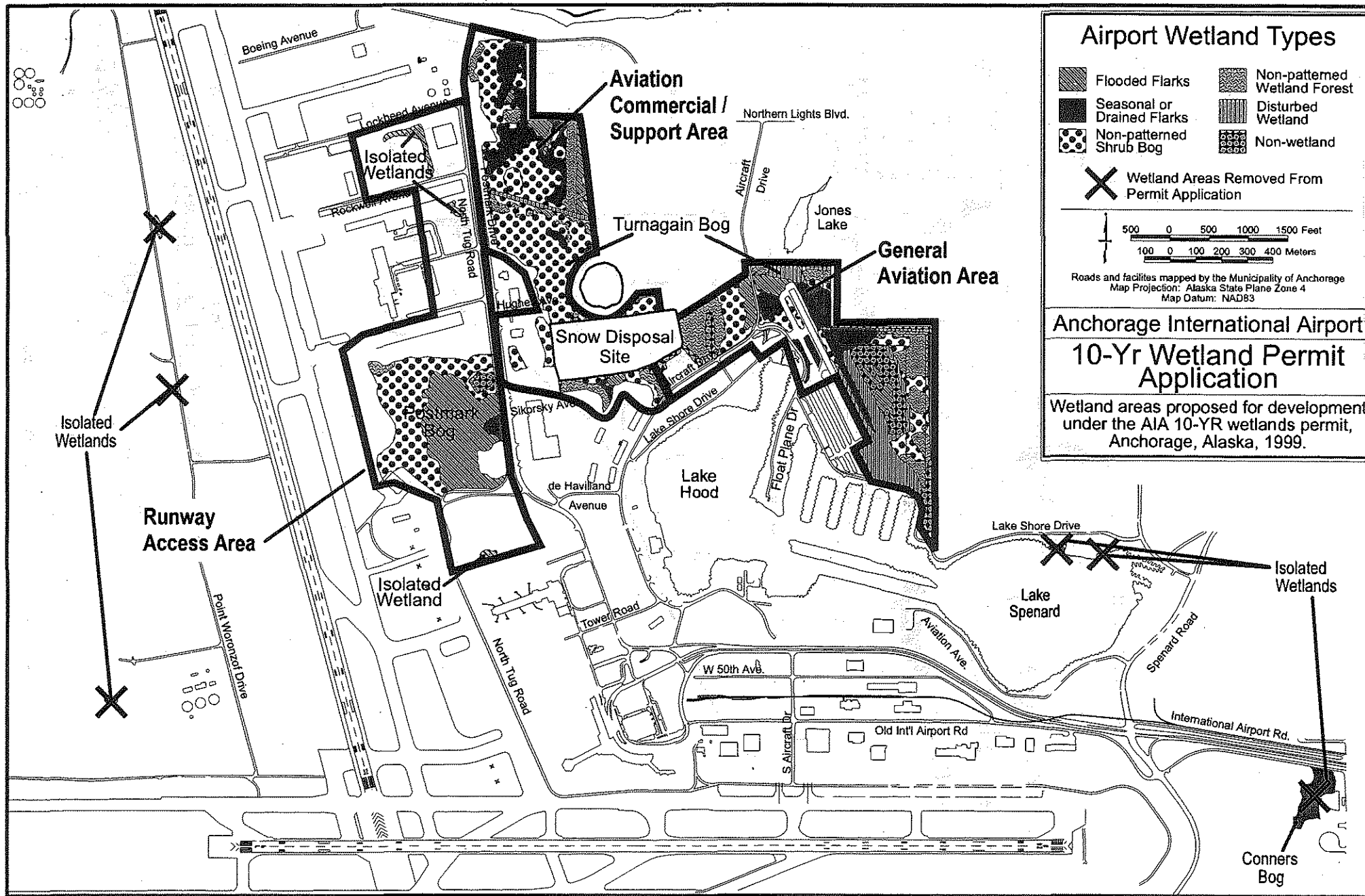
TURNAGAIN AND KLATT BOG  
LOCATION MAP

ANCHORAGE, ALASKA

**URS**

4-990779

JOB NO: 74-23696053 | DRAWN: LAY  
DATE: FEBRUARY 2001 | FILE: FIGURE1.COR



4-990779

Sheet 2 of 50

**TED STEVENS ANCHORAGE INTERNATIONAL AIRPORT  
APPLICATION 4-990779, TURNAGAIN BOG 4  
REVISED PROJECT DESCRIPTION (DECEMBER 2000)**

For the purposes of this permit application, the permit area is divided into three subareas: 1) Runway Access Area, 2) General Aviation Area, and 3) Aviation Commercial/Support Area. Figure 2 identifies these three areas.

**Runway-Access Area:** Allowed uses are:

- 1) airport taxiways and aprons;
- 2) passenger and cargo aircraft operations, including aircraft maintenance facilities;
- 3) aviation charter operations;
- 4) air freight, air cargo, and air mail facilities for sorting, processing, loading and unloading such freight, cargo, and mail;
- 5) aircraft cleaning, servicing, fueling, and other uses associated with aircraft ground handling, including Fixed Base Operators (FBOs);
- 6) airport operations, including airfield maintenance and emergency response;
- 7) airfield utilities and roads;
- 8) aircraft rental operations;
- 9) fuel storage, transportation and dispensing; and,
- 10) aircraft storage, maintenance, and repair, and related storage of aircraft parts.

Accessory uses associated with the permitted uses described above, such as office, warehouse, and utility uses that are customarily incidental and subordinate to the operation of a principal permitted use.

**General Aviation Area:** Allowed uses are:

- 1) airport taxiway, apron, runway approach, protection zone, and navigation aids;
- 2) general aviation operations, including float, ski, and wheel-equipped general aviation aircraft;
- 3) air taxi and aviation charter operations;
- 4) waterfront aircraft docks and aircraft tiedown facilities;
- 5) air freight, air cargo, and air mail facilities for sorting, processing, loading and unloading such freight, cargo, and mail;
- 6) aircraft cleaning, servicing, fueling, and other uses associated with aircraft ground handling, including Fixed Base Operators (FBOs);
- 7) airport operations, including airfield maintenance and emergency response;

- 8) road and trail rights-of-way, and utility easements;
- 9) aircraft rental operations;
- 10) fuel storage, transportation and dispensing;
- 11) aircraft storage, maintenance, and repair, and related storage of aircraft parts; and,
- 12) other commercial operations which are dependent on aircraft (sightseeing, aerial photography, etc.).

Accessory uses associated with the permitted uses described above, such as office, warehouse, and utility uses that are customarily incidental and subordinate to the operation of a principal permitted use.

**Aviation Commercial/Support Area:** Allowed uses are:

- 1) freight forwarding and logistics operations, including air freight, air cargo, and air mail facilities for sorting, processing, loading and unloading such freight and cargo
- 2) in-flight catering and employee food services;
- 3) airport operations and maintenance facilities, including material storage; equipment maintenance, repair, and storage; snow storage; electric and mechanical shops; and other airport safety, maintenance, and operations facilities;
- 4) road and trail rights-of-way, and utility easements;
- 5) warehouse and office facilities associated with air cargo, air logistics, customs, security, and foreign trade zone operations; and,
- 6) air mail facilities and other federal postal service facilities for sorting, processing, loading and unloading air mail.

Accessory uses associated with the permitted uses described above, such as office, warehouse, and utility uses that are customarily incidental and subordinate to the operation of a principal permitted use.

CLERK'S OFFICE

APPROVED

Date: 2-06-01

Submitted by: Assemblymembers TAYLOR,  
TESCHE, TREMAINE, Abney, Van Etten, Traini

Prepared by: Assembly Office, Van Hemmen

For reading:

ANCHORAGE, ALASKA  
AO NO. 2000-151 (S-2)

**AN ORDINANCE BY THE MUNICIPALITY OF ANCHORAGE AUTHORIZING A SOLE SOURCE SALE BY THE HERITAGE LAND BANK (HLB) OF THE DEVELOPMENT RIGHTS AND THE ESTABLISHMENT OF A CONSERVATION EASEMENT ON HLB PARCEL NO. 5-018 A 159.83-ACRE PARCEL OF LAND COMMONLY KNOWN AS TRACTS A & B, ASLS NO. 97-29, PLAT NO. 98-18 (KLATT BOG) TO TED STEVENS ANCHORAGE INTERNATIONAL AIRPORT.**

WHEREAS, the Heritage Land Bank (HLB) was established to "... manage uncommitted Municipal land and the HLB Fund in a manner designed to benefit the present and future citizens of Anchorage, promote the orderly development, and achieve the goals of the Comprehensive Plan (AMC 25.40.010); and

WHEREAS, "The Heritage Land Bank Advisory Commission shall hold a public hearing ... prior to making a recommendation to the Mayor and Assembly regarding the disposal of Heritage Land Bank land or an interest in land." (AMC 25.40.025.A); and

WHEREAS, on July 12<sup>th</sup> and August 9<sup>th</sup>, 2000 the HLB Advisory Commission conducted public hearings regarding the potential sale of development rights to HLB 5-018, also known as Tracts A and B of Klatt Bog, located at the Minnesota Drive- O'Malley Road curve; and

WHEREAS, both the 1999 and 2000 HLB Work Plans identify the 159-acre Klatt Bog as important for future preservation, and propose the establishment of a Wetlands Mitigation Bank offering the sale of mitigation credits to accommodate development in other parts of the city; and

WHEREAS, "If land is withdrawn from the Heritage Land Bank inventory for use and management by a public agency which is not supported by municipal taxes, compensation shall be paid to the Heritage Land Bank for at least current appraised fair market value of the land." (AMC 25.40.015B); and

WHEREAS, the Heritage Land Bank has commissioned a Market Value Appraisal by a certified appraiser of the Klatt Bog and associated lands for this transaction; and

WHEREAS, the Ted Stevens Anchorage International Airport (ANC) is Alaska's premier international airport, providing commercial passenger service, international air cargo service, and general aviation services, and is seeking expansion of those services via overall facilities and property expansion; and

WHEREAS, the HLB Advisory Commission recognizes additional consideration offered by ANC such as the rehydration of Klatt Bog, the acquisition of the approximately 84 acres of adjacent wetlands, the granting of a right-of-way easement on the north side of Raspberry Road to the Municipality; and the economic impact of additional tax revenues received by the Municipality as a result of further airport development as valuable consideration; and

4 WHEREAS, growth in aviation activity requires large tracts of land for public and private  
5 infrastructure, and an insufficient amount of non-wetland property remains at or near ANC for  
6 development, therefore requiring wetlands development by ANC; and  
7

8 WHEREAS, demand for development mitigation credits has increased dramatically in the  
9 Anchorage Bowl, raising potential market value of wetlands, including the Klatt Bog complex; and  
10

11 WHEREAS, the Klatt Bog wetlands complex would be able to provide up to 159 acres of wetlands  
12 mitigation in support of Airport expansion; and  
13

14 WHEREAS, the neighborhoods surrounding ANC are experiencing increased impacts from  
15 airport development; and  
16

17 WHEREAS, ANC Master Plans have identified portions of Turnagain Bog as an important  
18 buffer between surrounding residential areas and incompatible airport industrial uses; and  
19

20 WHEREAS, it is in the public interest that the portions of Turnagain Bog identified as  
21 "Lands not Permitted" in green on Illustration 2 (including "Scenic Easement") remain as  
22 a natural buffer between ANC and surrounding neighborhoods; and  
23

24 WHEREAS, it is in the public interest that any future development of the portions of  
25 Turnagain Bog identified as "Lands Not Permitted" in green on Illustration 2 (including  
26 "Scenic Easement" be determined pursuant to a public joint planning process between  
27 ANC and MOA.  
28

29 **NOW, THEREFORE THE ANCHORAGE ASSEMBLY ORDAINS:**  
30

31 **Section 1.** Notwithstanding AMC 25.40.010.E and AMC 25.40.025, the Heritage Land  
32 Bank is hereby authorized to release its interest and sell the development rights in the fee simple  
33 estate of HLB Parcel #5-018, Tracts A and B, ASLA No. 97-29, to the Ted Stevens Anchorage  
34 International Airport on a sole source basis.  
35

36 **Section 2.** The terms and conditions of the sole source sale will be substantially  
37 equivalent to the draft Memorandum of Understanding, attached as Exhibit A, the terms set out  
38 in AM 928-2000 (S). (S-2)  
39

40 **Section 3.** That ANC reimburse the HLB for survey, platting and other associated costs  
41 already paid to the State of Alaska for the transfer of Klatt Bog, an amount not to exceed  
42 \$27,358.00.  
43

44 **Section 4.** That ANC reimburse the HLB for appraisal costs of the following parcels:  
45 Tract B, Simpson Tracts, Plat # 71-99, 40-acre Residentially-Zoned parcel in Klatt Bog, SE 1/4  
46 of NE 1/4, Section 23, Projected R/W Acquisition costs along Raspberry Road and Tracts J and  
47 K, Edgewater PUD Subdivision, amount not to exceed \$14,000.00  
48  
49  
50  
51



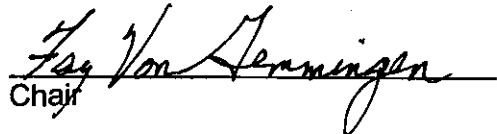
**Section 5. Any future development of the natural portions of the Turnagain Bog identified in green on Illustration 2 ("Lands Not Permitted," including "Scenic Easement") shall occur only after a master plan for that area is prepared jointly by ANC and the MOA and approved by the Anchorage Assembly after public hearing. The commitment of Ted Stevens Anchorage International Airport to this process, while contractually binding on the airport for this parcel, is not a waiver of its rights or privileges with respect to other parcels under state law.**

**Section 6. That in the event there are insufficient offset mitigation credits available from Klatt Bog rehydration, due to physical constraints, ANC agrees to consider the Anchorage Assembly's recommendations for alternative means of mitigation within the Anchorage Bowl.**

**Section 7. Any rehydration of Klatt Bog will be undertaken in a manner so as to avoid causing surface or ground water damage to nearby property.**

Section 8. This Ordinance shall be effective immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this 6 day of Feb, 2001.

  
Chair

ATTEST:

  
Municipal Clerk

Amended 2-6-01  
See A0 00-151(S-2)

## MUNICIPALITY OF ANCHORAGE

### ASSEMBLY MEMORANDUM

No. 928-2000<sup>A</sup>(S-2)

MEETING DATE: January 30, 2001

FROM: Assemblymembers Taylor, Tesche, Tremaine, Trainee, Van Etten, and Abney

SUBJECT: PROPOSED NEGOTIATION FOR A SALE OF DEVELOPMENT RIGHTS AND TO ESTABLISH A CONSERVATION EASEMENT OF HLB PARCEL 5-018, KNOWN AS TRACTS A AND B OF KLATT BOG, LOCATED IN SOUTH ANCHORAGE.

On August 9, 2000, the Heritage Land Bank Advisory Commission approved HLB Resolution 2000-04, which recommends approval by the Anchorage Assembly for the HLB to sell development rights to approximately 168 acres of Klatt Bog to the Ted Stevens Anchorage International Airport (ANC). The purpose of this sale of development rights is to assist the airport with its wetlands mitigation requirements as established by the US Army Corps of Engineers as part of its compliance with a long-term wetlands permit application.

**Background.** The Heritage Land Bank received Patent No. 16954 on March 10, 1998 to Alaska State Land Survey No. 97-29, containing approximately 168.77 acres (Bk. 03432, Pg. 609). The Klatt Bog parcel is located south of O'Malley Road near the curve of Minnesota Drive (see map, illustration 1) Appendix A) and was received by the HLB as part of the 1986 Municipal Entitlement Agreement. Title passed to the Heritage Land Bank after the HLB reimbursed the State of Alaska for survey, platting and administrative fees in the amount of \$27,358.00. The parcel is a Class B wetlands and is identified in the Comprehensive Plan for residential development. This 168 acres±, known as Klatt Bog, has been identified in the 1999 and 2000 HLB Work Plan as potential acreage to be used for MOA wetlands mitigation and the establishment of a wetlands Mitigation Bank. Mitigation may include the sale of development credits to third parties for such purposes.

**Klatt Bog.** Klatt Bog once extended over 1,600 acres in south Anchorage. The importance of the bog has been recognized by the resource agencies in planning documents as early as 1979. Development pressures over the last twenty years have continued to result in wetland losses at Klatt Bog, with the most recent permit issued in 1995. As of 1999, less than 300 acres of the core area of Klatt Bog remain undeveloped. Of this area, less than 50 acres are preserved under previous Army Corps of Engineers permits issued for residential development and 30 percent of the remaining core bog is privately owned and zoned for residential use. Klatt Bog therefore remains under considerable development pressure.

**ANC Long-Term Wetlands Permit.** The Ted Stevens Anchorage International Airport (ANC) is applying to the US Corps of Engineers for a long-term individual permit under Section 404 of the Federal Water Pollution Control Act (Clean Water Act) to allow development and expansion of airport facilities. The development proposed for the long-term permit is expected to result in a loss of

approximately 231.5 acres of wetlands: Postmark Bog at 53.1 acres, Turnagain Bog at 175.1 acres and 3.3 acres of miscellaneous airport wetlands. The entire wetlands permit will cover 260.6 acres, allowing for the development of needed facilities for the airport in a safe and efficient manner. *It should be noted that approximately 260 acres of additional Turnagain Bog wetlands are not proposed for development in this Long-Term Permit application.* (see map illustration 2)

Facilities expected to be required and to be developed under this permit include ANC infrastructure (runways, taxiways, snow disposal sites, field maintenance facilities, etc.), commercial aviation facilities (cargo handling, freight forwarding, business aircraft servicing, etc.), and general aviation facilities (aircraft parts and repair services, etc.). ANC is taking a comprehensive approach with a single application rather than obtaining individual permits for each wetland development.

**Mitigation proposal.** To compensate for the wetland losses that will occur under the proposed long-term permit, ANC has been working with federal, state and municipal agencies to develop a framework for a large mitigation project at Klatt Bog in south Anchorage. Since ANC is limited in its ability to mitigate wetland losses *on-site*, it is working with resource agencies to identify and develop an *off-site* wetlands mitigation plan that would provide significant ecological and social benefits for the Anchorage Bowl. The municipally owned Klatt Bog has been selected as the location for off-site mitigation.

Preservation, restoration and enhancement of the Klatt Bog parcels would yield the majority of wetland credits ANC will be used to offset the debits generated by the wetland development proposed in the ANC long-term permit. This will result in over 240 acres within Klatt Bog for rehydration and left in an undeveloped state.

**Proposed agreement.** A proposed Memorandum of Understanding (MOU) between the Municipality of Anchorage - HLB and the airport (ANC) for the disposition of the development rights to Klatt Bog lands has been negotiated and agreed to "in concept." As of the date of this writing (August 28, 2000) the MOU has not been executed by the current administration.

The key terms and conditions of the draft MOU are identified below:

1. MOA-HLB will preserve 159 acres of land commonly known as Klatt Bog as a conservation easement. ANC will transfer to the MOA-HLB adjacent parcels of 84± acres preserved in Conservation Status.
2. MOA-HLB will preserve 242± acres in Conservation Status in accordance with the US Corps of Engineers permit requirements.
3. ~~ANC will transfer to the MOA-HLB adjacent parcels of 84± acres already preserved in Conservation Status.~~
4. ANC will grant to the MOA an approximately 5-acre easement to widen Raspberry Road.
5. No rehydration shall be undertaken until adequate rehydration studies have been submitted to MOA and approved by the Assembly following a public hearing ~~ANC will design and construct Klatt Bog rehydration improvements and 3-6 years of monitoring of restoration results as required by the Corps permit.~~ ANC shall be responsible to promptly remedy any water damage caused by the rehydration and to resolve any rehydration/caused condition that is likely to cause future water damage. Payments under this obligation are subject to lawful appropriations.

6. ANC will hold the MOA harmless and defend for any liability from hazards to bird or wildlife and flooding hazards should they occur in a rehydrated Klatt Bog.
7. ANC will purchase development rights on MOA Klatt Bog lands for \$380,000 and other considerations, paid to the HLB and will replat the Klatt Bog parcels into 1 parcel.
8. Following a waiting period, the MOA (Cultural and Recreational Services) will manage all Klatt Bog lands as permanently protected wetlands for the benefit of the citizens of Anchorage.
9. Anchorage International Airport will establish a scenic easement area approximately more than 355 acres in size along its boundary with Turnagain neighborhoods, north and east of Lake Hood Airstrip and on the side of Northern Lights Blvd. (The scenic easement concept paper is attached)
10. Any future development of the natural portions of the Turnagain Bog identified in green on illustration 2 ("Lands Not Permitted," including "Scenic Easement") shall occur only after a master plan for that area is prepared jointly by ANC and the MOA and approved by the Anchorage Assembly after public hearing.
11. MOA will vacate existing easements and rights of way within the preserved lands at Klatt Bog.

**Agency Review.** A municipal-wide agency review was conducted by the HLB June 16<sup>th</sup> through 30<sup>th</sup>. No comments or objections were made by the majority of agencies. The Anchorage Water and Wastewater Utility noted, "water and sewer easement needed," and Public Works and the Community Planning & Development departments commented via memo (see attachments as Appendix C).

**Public Notice.** Pursuant to Municipal Code AMC 25.40.030, the minimum 21-day public noticing requirement was met in a timely manner regarding advertising, direct mail notification to adjacent property owners and in posting signs.

**Sources cited.** The following sources have been cited in the preparation of this Assembly Memorandum:

- Community Planning and Development Department 1996 Anchorage Wetlands Management Plan.
- HDR Alaska Inc., 1996 Anchorage Bowl Commercial and Industrial Land Use Study.
- Anchorage International Airport Long-Term Wetlands Permit Application, prepared by ABR, Inc., July 1999.

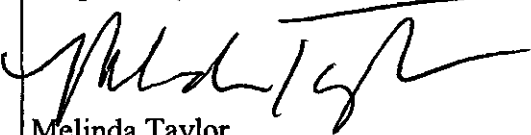
**Recommendation.** Pending review and approval by the Wuerch Administration and the Anchorage Assembly, the Heritage Land Bank Advisory Commission recommended on August 9, 2000 that the Anchorage Assembly approve the sale of development rights by the HLB for Klatt Bog acreage to the Ted Stevens Anchorage International Airport. In addition to the \$380,000 and other considerations, it is recommended that the HLB also be reimbursed for survey, platting and administrative expenses paid to the State of Alaska DNR in the amount of \$27,358.00, plus necessary costs paid for in advance by the HLB for professional appraisal services.

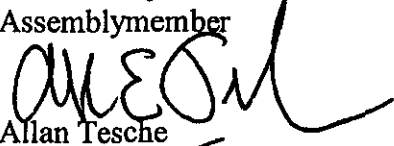
**Appendices:**

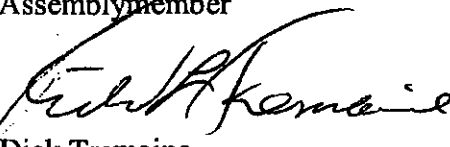
- Appendix A – map of subject property
- Appendix B – HLBAC Resolution 2000-04
- Appendix C – CPD memo
- Appendix D – 8/24/00 Letter of Fee Simple Interest Appraisal for Tracts A and B, Klatt Bog by Frank King, MAI
- Appendix E – 8/14/00 Simpson Tracts Letter of Appraisal of 40 acres, Klatt Bog
- Appendix F – 8/15/00 Letter of Appraisal for 40-acre portion of Klatt Bog in Section 23

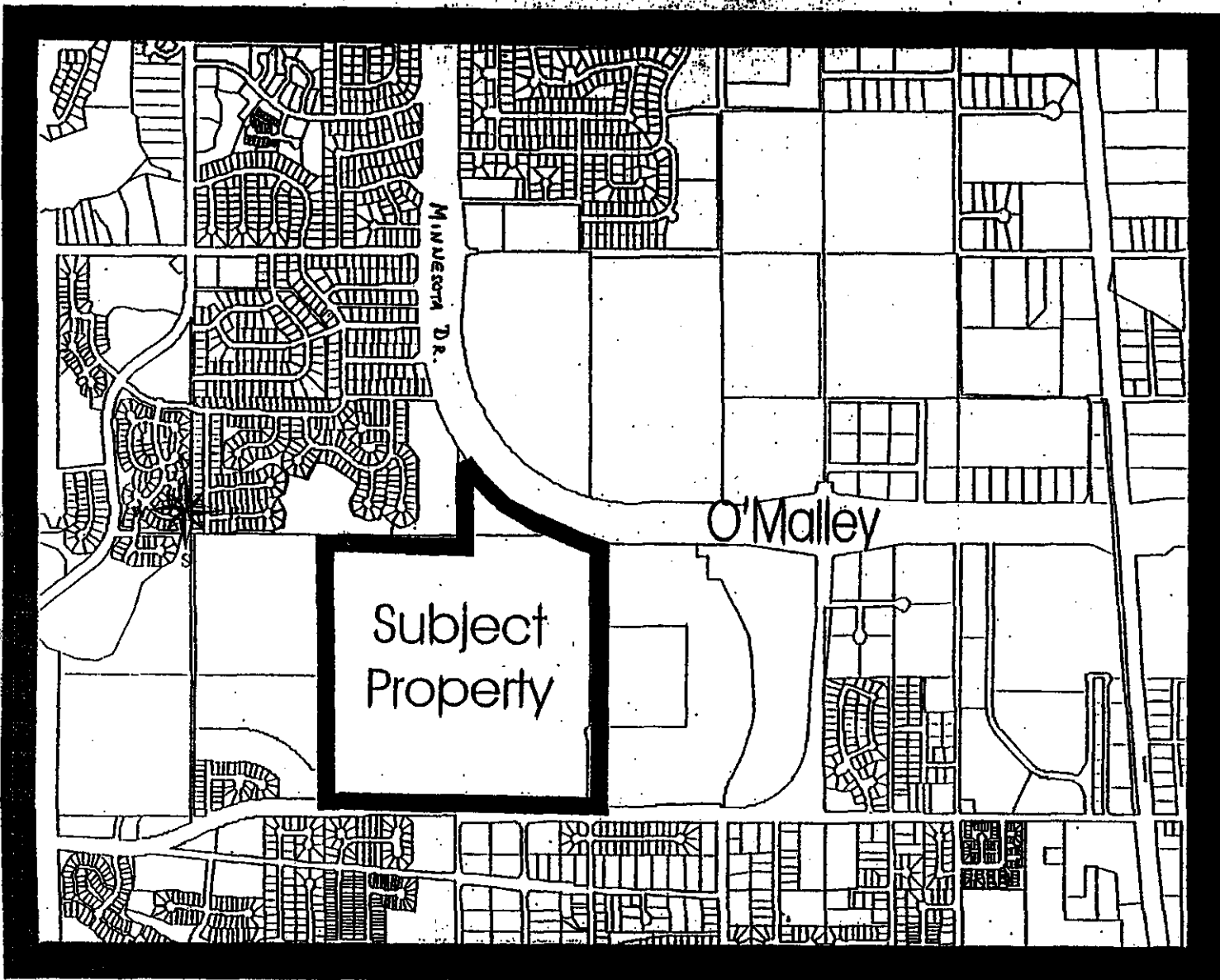
1 Appendix G – 8/25/00 Accuval-Resco projected Right-of-Way Acquisition cost for Raspberry  
2 Road through Country Lane Estates  
3 Appendix H – Public Comments listing  
4 Appendix I – “Concept Paper”  
5 Illustration 1. Klatt Bog  
6 Illustration 2. Proposed Wetland Permit Area and scenic easement  
7  
8

9 Respectfully submitted,

10   
11  
12  
13 Melinda Taylor  
14 Assemblymember

15   
16  
17 Allan Tesche  
18 Assemblymember

19   
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21  
22 Dick Tremaine  
23 Assemblymembers  
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## Appendix B

### HERITAGE LAND BANK ADVISORY COMMISSION RESOLUTION NO. 2000-04

**A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF THE SALE OF DEVELOPMENT RIGHTS AND THE ESTABLISHMENT OF A CONSERVATION EASEMENT ON HLB PARCEL NO. 5-018, COMMONLY KNOWN AS TRACTS A AND B OF KLATT BOG IN SOUTH ANCHORAGE.**

---

**WHEREAS**, the Heritage Land Bank (HLB) was established to "...manage uncommitted Municipal land and the HLB Fund in a manner designed to benefit the present and future citizens of Anchorage, promote the orderly development, and achieve the goals of the Comprehensive Plan" (AMC 25.40.010), and,

**WHEREAS**, "The Heritage Land Bank Advisory Commission shall hold a public hearing ... prior to making a recommendation to the Mayor and Assembly regarding the disposal of Heritage Land Bank land or an interest in land." (AMC 25.40.025.A); and,

**WHEREAS**, the Advisory Commission... shall recommend and submit annually for Assembly approval, a work program which includes detailed descriptions of proposed land acquisition, inventory, management, transfer and disposal activities of the Heritage Land Bank for the coming year..." (AMC 25.40.020.B); and,

**WHEREAS**, both the approved 1999 and draft 2000 HLB Work Plans list the potential purchase of HLB lands commonly known as the Klatt Bog for possible airport expansion and wetlands mitigation requirements under the U.S. Army Corps of Engineers as one of the HLB's major projects ; and,

**WHEREAS**, Anchorage International Airport (AIA) is Alaska's premier international airport, providing commercial passenger service, international air cargo service, and general aviation services, and is seeking expansion of those services via overall facilities and property expansion; and,

**WHEREAS**, Growth in aviation activity requires large tracts of land for public and private infrastructure, and an insufficient amount of non-wetland property remains at or near AIA for development, therefore requiring wetlands development by AIA; and

**WHEREAS**, demand for development mitigation credits has increased dramatically in the Anchorage Bowl, raising potential market value of wetlands, including the Klatt Bog complex; and

**WHEREAS**, the Klatt Bog wetlands complex would be able to provide up to 168 acres of municipal wetlands mitigation on behalf of the airport's expansion;

1 Page 2

2 HLBAC Res. 2000-04

3 7/12/00

4  
5  
6  
7 **NOW THEREFORE, THE HERITAGE LAND BANK ADVISORY COMMISSION**  
8 **RESOLVES:**  
9

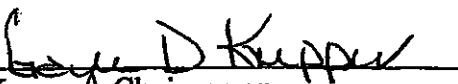
10 **Section 1.** That the Anchorage Assembly approve the sale of development rights on Klatt Bog  
11 lands to Anchorage International Airport for the minimum amount of \$380,000.00 paid to the  
12 Heritage Land Bank.  
13

14 **Section 2.** That in addition to Section 1, the Anchorage International Airport reimburse the  
15 Heritage Land Bank for survey, platting and administrative expenses already paid to the State of  
16 Alaska for the transfer of Klatt Bog, a sum equal to \$27,358.00.  
17

18 **Section 3.** This Resolution shall be effective immediately upon passage.  
19

20 **PASSED AND APPROVED** by the HERITAGE LAND BANK ADVISORY COMMISSION  
21 this 9<sup>th</sup> day of August, 2000.  
22  
23

24 **APPROVE:**

25   
26  
27 Gayle Knepper, Chairperson  
28 Heritage Land Bank Advisory Commission  
29

30  
31 **ATTEST:**  
32

33   
34  
35 Larry J. Houle, Executive Director  
36 Heritage Land Bank  
37



# **APPENDIX I**

## **Concept Paper**

### **Lake Hood/Turnagain Scenic Easement**

Anchorage International Airport proposed to establish a scenic easement area along its boundary with Turnagain neighborhood, north and east of Lake Hood Airstrip and along the western edge of Aircraft Drive as depicted on Illustration 2.

The scenic easement concept includes:

- Would not be leased and developed for commercial activities.
- Would be approximately 300 feet wide at it's widest and less than 300 feet where roads and other features dictate (see map).
- The airport will work with the Municipality of Anchorage (MOA), community councils, the FAA and adjacent residents on a plan for noise and/or visual mitigation in this area, some of which may be located in the scenic easement area. Ideas expresses so far include adding vegetation and constructing noise berms or noise walls. Any final decisions on the nature of this mitigation would be made only after alternatives are prepared and evaluated in concert with the above groups and others, in a public process.
- As discussed in the Airport Master Plan and MOA Trails Plan, a trail may be constructed in portions of the scenic easement.
- Existing and proposed roads, easements, rights-of-way and drainages would continue.
- Airport would maintain the right to manage safe airport operations in surrounding areas through security fencing, maintaining height restrictions, responding to emergencies, wildlife hazard protection, etc.
- Scenic easement would be formalized under an agreement with the Municipality of Anchorage with approval of FAA.

# ILLUSTRATION 1.

## Klatt Bog Wetland Parcels

-  Heritage Land Bank
-  Private Parcel
-  Preserved Under Other DA Permit Agreement



Wetlands and facilities mapped by the Municipality of Anchorage

Map Projection: Alaska State Plane Zone 4  
Map Datum: NAD83

## Anchorage International Airport

## 10-Yr Wetland Permit Application

Figure 8. Land ownership within the Klatt Bog wetland areas, Anchorage, Alaska, 1999.

28 April 1999

airport\_map.apr

ABR

Radio Tower Area  
(Privately Owned)

MOA  
(Parks and Recreation)

**AIA  
Parcel  
(40 acres)**

**MOA  
Klatt  
Parcel  
(159 acres)**

**AIA  
Parcel  
(43 acres)**

Cuseack Subdivision

North Klatt Road

Klatt Road

Southport Subdivision

Concord Hills Subdivision

Univac Avenue


Southport Drive


Illustration 2 - Detail

Legend

 Airport Property Boundary

 Permitted Land

 Lands Not Permitted

 Scenic Easement







West Anchorage District Plan - Appendix A-8  
MOA 1998 Airport Overlay Zone AO 98-10

Submitted by: Chairman of the Assembly at  
the Request of the Mayor  
Prepared by: Community Planning and  
Development  
For Reading: January 27, 1998

CLERK'S OFFICE

**AMENDED AND APPROVED**

Date: 3-24-98

ANCHORAGE, ALASKA

AO 98- 10

*Reconsidered & Postponed  
Indefinitely 3-31-98*

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.20.090  
TO PROHIBIT ANY INCREASE IN EXISTING RESIDENTIAL DENSITY, A ZONING  
CHANGE TO PERMIT RESIDENTIAL LAND USES; MOBILE HOME PARKS; OR  
CAMPER PARKS IN THE 60 DAY NIGHT LEVEL (DNL) CONTOUR OF ANCHORAGE  
INTERNATIONAL AIRPORT

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** That section 21.20.090 of the Anchorage Municipal Code is hereby  
amended to read as follows:

21.20.090 Standards for zoning map amendments.

A. Conformity to Comprehensive Plan. The Comprehensive Plan establishes goals  
and policies for the development of the community. The land use and residential  
intensity classifications of the land use element of the Comprehensive Plan  
correspond generally to one or more of the use districts established in Chapter  
21.40. When adopted, the Comprehensive Plan took into account development  
patterns established by existing zoning, but departed from existing zoning where  
appropriate to implement its goals and policies. In accordance with these  
functions of the Comprehensive Plan, a zoning map amendment may be  
approved only if it furthers the goals and policies of the Comprehensive Plan and  
conforms to the Comprehensive Plan in the manner required by Chapter 21.05.

B. A zoning map amendment may be approved only if it is in the best interest  
of the public, considering the following factors:

1 The effect of development under the amendment, and the cumulative  
effect of similar development, on the surrounding neighborhood, the  
general area and the community, including but not limited to the  
environment, transportation, public services and facilities, and land use  
patterns, and the degree to which special limitations will mitigate any  
adverse effects;

2. The supply of land in the economically relevant area that is in the use  
district to be applied by the amendment or in similar use districts, in  
relation to the demand for that land:

3 The time when development probably would occur under the amendment  
given the availability of public services and facilities, and the relationship  
of supply to demand found under subsection 2 of this subsection; and

4 4. The effect of the amendment on the distribution of land uses and  
5 residential densities specified in the comprehensive plan, and whether the  
6 proposed amendment furthers the allocation of uses and residential  
7 densities in accordance with the goals and policies of the plan.

8 C Notwithstanding any other provision of this section to the contrary, a zoning map  
9 amendment for land within the adopted <sup>\*1997</sup> 60 Day Night Level (DNL) noise contour  
10 of the Anchorage International Airport, shall not permit

11 1. an increase in the existing residential density,

12 2. a zoning change permitting new, <sup>or</sup> additional ~~or modified~~ residential land  
13 uses;

14 3. mobile home parks; or

5 4. camper parks.

16 Section 2. This ordinance shall become effective immediately upon passage and  
17 approval by the Anchorage Municipal Assembly.

18 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of  
19 \_\_\_\_\_, 1998

22 \_\_\_\_\_  
23 Chairman

24 ATTEST

25 \_\_\_\_\_  
26  
27 Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**MEMORANDUM**

---

DATE: April 7, 1997

TO: Planning and Zoning Commission

THRU: Sheila Ann Selkregg, Ph.D., Director Community Planning and Development *JS*

FROM: Donald S. Alspach *1/4* Deputy Director Community Planning and Development

SUBJECT: 97-060 Standards For Rezoning Within  $L_{DN}$  60 Noise Contour

The Municipality of Anchorage has agreed to aid Anchorage International Airport in dealing with airport noise impacts. Aircraft operations are high noise generators that impact property outside the airport boundaries. Airport noise most severely impacts residential land uses. A method to avoid conflicts between aircraft operations and residential development is to not place them in close proximity. Although we can do little for the areas where conflict now exists, it is possible to prevent the conflicts from occurring with future land use decisions.

The proposed ordinance, if approved, would prevent the Assembly from approving a zoning map amendment that has the potential of exacerbating the noise impact problem. A zoning map amendment if located in the  $L_{DN}$  60 noise contour of Anchorage International Airport could not allow for:

- an increase in residential density;
- mobile home parks;
- camper parks; or
- a rezone to a residential district.

The reasons in support of these restrictions is clearly evident. In the case of campers and mobile homes, the construction standards do not provide adequate noise attenuation. Increasing residential density is undesirable and would add more residents to a noise impacted area. Finally, rezoning from a zoning district that does not allow residential uses to one that does in a noise impacted area would be compounding the conflicts.

Since this ordinance would not take anything away from property owners lying within the noise contour staff finds there would be no impact if approved and we support the proposed change.





# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No.

Meeting Date:

From: Mayor

Subject: AO 98-

Planning and Zoning Commission Recommendation  
on Amendment to Standards for a Rezoning within  
60 DNL of Anchorage International Airport

1 Aircraft operations are high noise generators that impact property outside the  
2 boundaries of an airport. Airport noise most severely impacts residential land uses. A  
3 method to avoid conflicts between aircraft operations and residential development is to  
4 separate them. Although we can do little for the areas where conflict now exists, it is  
5 possible to prevent the conflicts from occurring with some future land use decisions.

6 The proposed ordinance, if approved, would prevent the Assembly from approving a  
7 zoning map amendment that has the potential of exacerbating the noise impact  
8 problem. A zoning map amendment if located in the 60 DNL noise contour of  
9 Anchorage International Airport could not allow for:

- 10 • an increase in residential density;
- 11 • mobile home parks;
- 12 • camper parks; or
- 13 • a rezone from a non-residential district to a residential district.

14 The Planning and Zoning Commission recommended approval of the ordinance  
15 amendment on a vote of seven in favor and two opposed. The Commission's reasons  
16 in support these restrictions are reflected in its resolution. In summary, the  
17 Commission's findings are:

- 18 • It is important for the community to minimize the number of noise complaints as  
19 a result of airport growth.
- 20 • There is a cost to locating residential development near airports that affects  
21 enjoyment of the home and its economic value.
- 22 • The proposed ordinance would only impact property owners seeking a rezoning  
23 within the 60 DNL noise contour to a residential zone of higher density or to a  
24 zoning district that allows mobile home parks or camper parks.

- The proposed ordinance allows for Anchorage International Airport growth and provides for the health and safety of the community with the least amount of regulation.


Reviewed by:

Larry D. Crawford  
Municipal Manager

Respectfully submitted,

Rick Mystrom  
Mayor

Prepared by:

  
Sheila Ann Selkregg, Ph.D.  
Director, Community Planning and  
Development





## West Anchorage District Plan - Appendix A-9 TSAIA Noise Compatibility Program

### **Part 150 Noise Compatibility Study**

Airport noise is an increasingly important issue facing airports and communities across the nation. Congress enacted the Aviation Safety and Noise Abatement Act of 1979 to address airport noise concerns. This Act required the Federal Aviation Administration to adopt regulations establishing a single system of measuring aircraft noise and determining the exposure of individuals to noise in the vicinity of airports. Part 150 of the Federal Aviation Regulations on Airport Noise Compatibility Planning was adopted in 1981 to meet these requirements.

Ted Stevens Anchorage International Airport (ANC) completed its first Part 150 Noise Compatibility Study in 1987. Because airport operations have changed considerably since 1987, ANC began a Part 150 Noise Compatibility Study Update in April 1995. This Study Update will be complete in early 1999.

### **What is Part 150?**

Part 150 of the Federal Aviation Regulations describes the federal guidelines for completing and implementing a Noise Compatibility Study. It contains the FAA approved requirements for determining noise levels in areas near the airport. It also outlines the FAA's responsibilities in review of proposed Noise Compatibility Programs.

The Part 150 study process has two steps: 1) establishment of Noise Exposure Maps, which identify the levels of airport noise in areas around the airport, and 2) development of a Noise Compatibility Program designed to reduce the number of people and/or incompatible land uses within the airport's noise contours. These two steps are discussed in more detail later in this fact sheet.

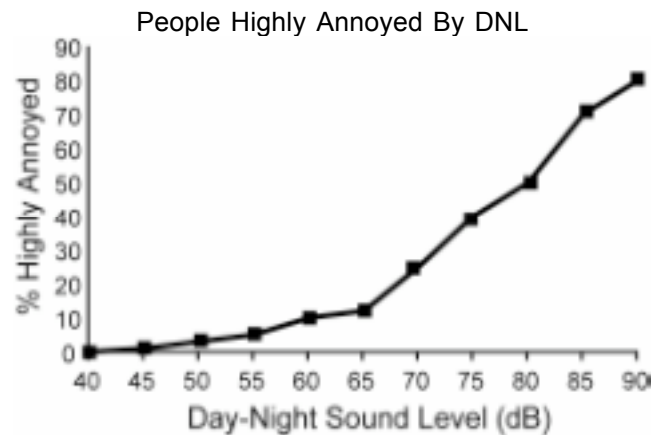
Airports are not required to complete Part 150 studies, but there are financial incentives for doing so. Federal funds are available for completing Part 150 studies and for implementing measures adopted in the Noise Compatibility Program. The Federal Aviation Administration (FAA) has provided \$43 million for Part 150 planning efforts since 1979 and over \$2 billion for implementation of measures identified in FAA-approved Part 150 Noise Compatibility Programs.

### **Noise Exposure Maps**

FAA's Part 150 regulations identify the requirements for developing Noise Exposure Maps (NEMs) and the information that must be included in them. NEMs include maps of the noise contours around the Airport, as well as information on non-compatible land uses and the population located within those contours. Additional information is required on flight tracks and flight operations, airport and runway layouts, and other relevant information.

FAA requires the Airport's noise contour maps to depict the average annual day-night sound level (DNL) in areas around the airport. The DNL represents the cumulative exposure of individuals to airport noise and is based upon the type of aircraft operated, the number of operations, the runways used, the aircraft flight tracks, and the timing of operations. Since studies show that people are more sensitive to noise at night, nighttime operations are given a penalty and weighted as being "louder" than a similar operation during the day. Since DNL contours represent annual average conditions, noise levels will vary considerably from the DNL level during the Airport's busy periods and slow periods.

Many studies have been completed on how noise, and aircraft noise in particular, affect people. These studies have shown that, although noise sensitivity varies greatly from person to person, certain levels of noise are found to be very aggravating to the majority of people. The DNL measurement has been found to correlate closely with community annoyance from noise sources. The figure below illustrates how the percentage of people who are "highly annoyed" increases significantly as average noise levels increase above 65 DNL.



NEMs must show noise contours for 65, 70, and 75 DNL and must identify noncompatible land uses within these contours for both existing conditions and for a 5 year forecast condition. Non-compatible land uses generally include residences, schools, churches, health care facilities, and other uses. National studies have indicated that these types of land use are more likely to be sensitive to high noise levels. As shown in the figure above, less than 15 percent of the population is expected to be highly annoyed by noise levels of 65 DNL or less; therefore, all land uses are assumed to be compatible with DNLs of less than 65.

ANC prepared a Revised Noise Exposure Map document illustrating the noise contours for 1997 and 2002. The Revised Noise Exposure Map document was submitted to FAA for review and acceptance in November 1998. FAA acceptance of the Noise Exposure Map was received in January 1999.

### Noise Compatibility Program

The Noise Compatibility Program (NCP) includes all the measures that are recommended for reducing noise impacts and incompatible land uses within the Airport's noise contours.

There are two main types of measures included in NCPs: operational or noise abatement measures and land use measures.

Operational noise abatement measures generally include changes in Airport and/or Air Traffic Control procedures intended to reduce noise exposure to the surrounding community. Operational measures are generally implemented by the Airport, the FAA, or Airlines.

Land use measures include changes in land use or land use regulations to reduce construction or operation of incompatible uses within the Airport's noise contours. Since land use outside Airport boundaries are usually not under an Airport's control, the Airport must work with local government to implement land use measures.

Measures included in the NCP can also be classified as either "preventative" or "remedial". Preventative measures are prevent or reduce the potential for development of new noncompatible uses within the Airport's noise contours, such as zoning restrictions. Remedial measures, such as soundproofing, are used to address existing noncompatible uses, or development that has already occurred.

Recent changes in FAA's Part 150 regulations limit the use of federal noise mitigation funds to remediate new land uses, constructed after October 1, 1998 within Airport noise contours. These changes are designed to increase the incentive for preventing development of new incompatible land uses. As with many other issues, prevention is more cost effective than remediation.

**Revised AIA Noise Compatibility Program:** The ANC Revised NCP is based on four years of analysis and meetings with a Part 150 Technical Advisory Committee (TAC). The measures in the ANC Revised Noise Compatibility Program are listed on the following page.

## **How does the FAA review process work?**

Congress has given FAA the responsibility to approve NCP measures if they can meet the following criteria.

- They do not create an undue burden on interstate or foreign commerce.
- They are consistent with the goal of reducing existing noncompatible land uses and preventing or reducing the probability of the establishment of additional noncompatible land uses.
- They are not unjustly discriminatory.
- They do not adversely affect the safe and efficient use of airspace.
- They meet both local needs and the needs of the national air transportation system, considering tradeoffs between the economic benefits derived from the airport and the noise impact.

FAA does not have to approve the NCP in its entirety, but can individually approve some measures and not approve others. Once the NCP is approved, the Airport can apply for federal noise mitigation funds to implement approved measures. Federal funds for mitigation are not guaranteed, however. Each airport must compete with other airports for the noise mitigation funds available.

## **Public Input into the Process**

Part 150 requires airport operators to involve interested parties in development of a Part 150 Noise Compatibility Study. Interested parties include: FAA, local governments, aviation interests and aircraft operators, and representatives of surrounding communities.

The Airport established a Part 150 Technical Advisory Committee to provide input into the planning process and allow for an exchange of ideas on airport noise, noise impacts, and noise control. The TAC was made up of representatives from 10 Anchorage Community Councils, the Chamber of Commerce, the Anchorage Economic Development Corporation, aviation interests, the Municipality of Anchorage, and the FAA.

The Part 150 TAC met ten times over a four year period, providing valuable input into the study. TAC members reviewed noise measurement data collected, suggested noise abatement ideas for evaluation, reviewed analyses on various noise abatement and land use measures, and helped identify preferred measures to be included in ANC's NCP. Each TAC meeting was advertised three times in the Anchorage Daily News in the weeks prior to the meeting.

To ensure that Anchorage residents living within the noise contours are aware of the measures in the Draft Revised NCP, the Airport initiated an intensive public information program, including direct mailings within the noise contours and a newspaper insert on the Part 150 Study Update that was distributed with the Anchorage Daily News on Monday, January 18, 1999.

AIA also held a final public hearing and workshop on the Draft Revised NCP on February 9, 1999 in the WestCoast International Inn. ANC's public information campaign, conducted in January, resulted in record attendance at the public hearing and workshop. Public comments on the Draft Revised NCP were received verbally and in writing at this hearing, as well as in the mail over the review period. These comments were addressed prior to submittal of the document to FAA in June 1999. FAA is expected to issue a decision on the NCP by January 4, 2000.

More information on the Airport's Part 150 Study Update or other airport noise issues is available by calling the Airport at 266-2526.

## ANC Noise Compatibility Program

### Recommended Measure    Summary

#### Noise Abatement Measures

Enhance Noise Abatement Departure Procedures	Promote consistent use of identified noise abatement departure profiles for departures to the east and south.
----------------------------------------------	---------------------------------------------------------------------------------------------------------------

#### Land Use Measures

Noise Overlay Zone	Establish a Noise Overlay Zone district based on the Airport's noise contours. Apply special requirements and restrictions to lands within this zone to minimize additional development of non-compatible land uses.
Fair Disclosure Policy	Require disclosure of airport noise impacts in residential sales documents.
Land Banking	Public acquisition of vacant residentially zoned properties within the 65 DNL noise contour to prevent construction of additional non-compatible uses.
Soundproofing	Sound insulation of residences and other noise sensitive uses in return for aviation easements.
Sound Buffers/Barriers	Use of sound barriers, berms, or open space to reduce aircraft-related noise impacts on adjacent neighborhoods.
Compatible Use Zoning	Zoning code modifications to minimize noise sensitive uses within the contours; restrict rezonings for higher densities, mobile homes, and camper parks.
Building Code Revisions	Provisions in the building code to require houses built within the contours to incorporate sound attenuation measures during construction.
Noise Levels on Plats	Notes on subdivision plats within the contours to provide notification of noise levels and require sound attenuation measures to be incorporated during construction.
Comprehensive Planning	Include ANC noise contours and compatibility guidelines into the Comprehensive Plan to ensure compatible land used within the contours.
Planning & Zoning Commission Review	Adopt noise compatibility criteria and guidelines for evaluating proposed development proposals within the noise contours.
Public Land Development Policy	Adoption of a policy requiring development of public lands within the noise contours to meet the noise compatibility criteria and guidelines.



## APPENDIX B

### WEST ANCHORAGE PLANNING BOUNDARY DETERMINATION



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## ***West Anchorage District Planning Boundary***

Setting the boundary of the West Anchorage District Plan (WADP) is influenced by several factors. Initially, the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* Land Use Policy Map showed the West Anchorage Planning Area as a circle generally spanning the area bordered by Knik Arm/Cook Inlet to the north and west, Dimond Boulevard to the south, and C Street/Midtown District Plan Boundary to the east. The WADP proposed boundaries generally follow this direction, with one exception. The eastern boundary of the district follows Spenard Road and Minnesota Boulevard, except for a small extension to C Street in the vicinity of International Airport Road and Dowling Road. Figure 1 in Chapter 1 shows the boundaries of the WADP. Factors used in setting the boundaries of the WADP are discussed below.

### **Relationship Between Ted Stevens Anchorage International Airport and Surrounding Neighborhoods**

The intent of the *Anchorage 2020* recommendation was to in part capture areas influenced by Ted Stevens Anchorage International Airport (TSAIA) and address planning issues and land use conflicts (Land Use Policy 28 (a)). Designation of the planning area recognized “a symbiotic relationship between the Airport and the community, and that activities from one can impact the other.” There are formal federal guidelines regarding recommended land uses within noise level contours (measured in decibels and indicated as dB) that are a factor in setting district Plan boundaries. This initial recommendation from *Anchorage 2020* also used an eight-minute travel radius from the airport that could support airport-related activities, such as warehousing and global logistics centers. Land Use Policy 28 (b) indicates that “future airport-related industrial uses should be located to provide efficient transportation links to and from the Airport with minimal impacts on residential neighborhoods.” For these reasons, the eastern boundary of the District has been extended past Minnesota Boulevard specifically along International Airport Road to C Street.

### **Other District Planning Boundaries**

Second, there are other District Plans that have been completed, are underway, or anticipated that affect the WADP Boundary, including the Midtown and Downtown District Plans. The Midtown District abuts the West Anchorage District along the centerline of Spenard Road. One of the challenges that the WADP must address is how to approach major transportation and commercial corridors such as the Spenard Road and Dimond Boulevard as a functional whole, and not divide them artificially down the middle. As a result, the WADP does not overlap the Spenard Road Midtown boundary, but its southern boundary is located slightly south of Dimond Boulevard to capture it as a functional whole. There is also recognition that a future South Anchorage District Plan may also address this area.

### **Community Council Boundaries**

Third, Community Council (CC) boundaries and common interests in the planning area were considered in setting the planning boundaries. The Sand Lake, Spenard, and

Turnagain CCs all border TSAIA and have common concerns about off-airport impacts on their neighborhoods. They all value the quality of life in West Anchorage, and have well-established residential neighborhoods whose character they wish to maintain. A portion of Taku-Campbell CC is also within the West Anchorage Plan boundaries, based on commercial and industrial areas that do or have the potential to support airport activities, and on the location of the 60 and 65dB noise contours.

### **Natural Features**

Finally, natural features such as Westchester Lagoon to the north, and the Knik and Turnagain Arms of Cook Inlet form natural boundaries to west Anchorage. While there have been some suggestions to include Fire Island in the planning district, issues associated with development of wind energy, port facilities, and federal and Cook Inlet Region Inc. lands dictate that activities on Fire Island do not have commonality with West Anchorage, and may benefit from a more specific plan.



## APPENDIX C

### ANCHORAGE PLANNING DOCUMENTS, RELATED PLANS & RESOURCES

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## ***Anchorage Planning Documents, Related Plans & Resources***

	<b>Description</b>	<b>For more information</b>	<b>Web location</b>
<b>Policy Plans</b> - 20+ year time frame, give broad overall policy direction and direct implementation actions	Anchorage 2020: Anchorage Bowl Comprehensive Plan	Municipality of Anchorage (MOA) Planning Department 343-7938	<a href="http://www.muni.org/Planning/prj_Anch2020.cfm">http://www.muni.org/Planning/prj_Anch2020.cfm</a>
<b>Areawide Functional Plans</b> – gives more specific direction	Safe Routes to School	MOA Traffic Department 343-8413	<a href="http://www.muni.org/traffic/Walking%20Route.cfm">http://www.muni.org/traffic/Walking%20Route.cfm</a>
	Long Range Transportation Plan	MOA Transportation /Anchorage Metropolitan Area Transportation Solutions 343-7991	2025 Long Range Transportation Plan with 2027 Revisions <a href="http://www.muni.org/transplan/LRTP.cfm">http://www.muni.org/transplan/LRTP.cfm</a>
	Official Streets & Highways Plan	MOA Traffic Department	<a href="http://www.muni.org/zoning/os&amp;hp.cfm">http://www.muni.org/zoning/os&amp;hp.cfm</a>
	Non-Motorized Transportation Plans	MOA Transportation Department Non-Motorized Coordinator 343-8368	<b>Trails Plan</b> Adopted 1996. Current version available in hard copy only.  <b>Pedestrian Plan</b> <a href="http://www.muni.org/iceimages/transplan/PedestrianPlan_web.pdf">http://www.muni.org/iceimages/transplan/PedestrianPlan_web.pdf</a>  <b>Anchorage Bicycle Plan</b> Adopted March 2010. <a href="http://www.muni.org/Departments/traffic/AMATS/Documents/AdoptedBicyclePlan.pdf">http://www.muni.org/Departments/traffic/AMATS/Documents/AdoptedBicyclePlan.pdf</a>
	Coastal Management Plan	Alaska Coastal Management Program	<a href="http://www.muni.org/Planning/pub_AncCoastMgmtPlan.cfm">http://www.muni.org/Planning/pub_AncCoastMgmtPlan.cfm</a>

		269-7470	
	Anchorage Wetlands Management	MOA Planning Department	Available by request from Planning Department. April 1995
	<b>Description</b>	<b>For more information</b>	<b>Web location</b>
	Anchorage Bowl Park, Natural Resources, and Recreation Facility Plan	MOA Parks & Recreation 343-4427	<a href="http://www.muni.org/planning/pub_ParkPlan2006.cfm">www.muni.org/planning/pub_ParkPlan2006.cfm</a>
	Utility Corridor Plan		<a href="http://www.muni.org/Planning/UtilityCorridorPlan.cfm">http://www.muni.org/Planning/UtilityCorridorPlan.cfm</a>

<b>Area-Specific Plans</b> – provide more detail for that particular geographic area	Hillside District Plan	MOA Planning Department	<a href="http://www.agnewbeck.com/pages-portfolio/anch/anch-hillside-district.htm">http://www.agnewbeck.com/pages-portfolio/anch/anch-hillside-district.htm</a>
	Downtown Anchorage Comprehensive Plan	MOA Planning Department	<a href="http://www.muni.org/Planning/CBD_Main.cfm">http://www.muni.org/Planning/CBD_Main.cfm</a>
	Midtown District Plan	MOA Planning Department	<a href="http://www.midtownplan.com/Welcome.html">http://www.midtownplan.com/Welcome.html</a>
	UMed District Plan		95% Design Pedestrian Plan <a href="http://www.brooks-alaska.com/UMed/">http://www.brooks-alaska.com/UMed/</a>
	West Anchorage District Plan	MOA Planning Thede Tobish 343- Tyler Robinson 343-	<b>OUR WEBSITE</b> <a href="http://www.muni.org/planning/West_Plan_main.cfm">http://www.muni.org/planning/West_Plan_main.cfm</a>
	Spenard Commercial District Development Strategy		Not available online; dated 1986. Limited harcopies available at the MOA Planning Department.

<b>Other Plans</b>	2009 Technical Study	TSAIA	Not yet posted online.
	2002 Airport	TSAIA	<a href="http://dot.alaska.gov/anc/about/masterPlan.shtml">http://dot.alaska.gov/anc/about/masterPlan.shtml</a>

	Master Plan		
	2006 General Aviation Master Plan	TSAIA	<a href="http://www.dot.alaska.gov/anc/business/generalAviation/GAmasterPlan/8-06MasterPlan.pdf">http://www.dot.alaska.gov/anc/business/generalAviation/GAmasterPlan/8-06MasterPlan.pdf</a>
	Airport State Mandate	Alaska Statutes  Alaska Administrative Code	AS Title 2 Aeronautics <a href="http://touchngo.com/lglcntr/akstats/Statutes/Title02.htm">http://touchngo.com/lglcntr/akstats/Statutes/Title02.htm</a>  AAC Title 17 Transportation and Public Facilities Chapter 42 Ted Stevens Anchorage International Airport and Fairbanks International Airport <a href="http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=[JUMP:'Title17Chap42']/doc/{@1}?firsthit">http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=[JUMP:'Title17Chap42']/doc/{@1}?firsthit</a>
	2009 FAA Airport Compliance Manual		<a href="http://www.faa.gov/airports/resources/publications/orders/compliance_5190_6/media">http://www.faa.gov/airports/resources/publications/orders/compliance_5190_6/media</a>



	Description	For more information	Web location
<b>Other Resources</b>	Graphic Data		<p>GIS Data  <a href="http://munimaps.muni.org/moagis/download.htm">http://munimaps.muni.org/moagis/download.htm</a></p> <p>Municipal Maps Library  <a href="http://wms.geonorth.com/library/LibraryMaps.aspx">http://wms.geonorth.com/library/LibraryMaps.aspx</a></p>
	Title 21 Land Use Regulations		<p><b>Current Code</b>  <a href="http://www.municode.com/resources/gateway.asp?pid=12717&amp;sid=2">http://www.municode.com/resources/gateway.asp?pid=12717&amp;sid=2</a></p> <p><b>Adopted Chapters</b>  <a href="http://www.muni.org/planning/prj_Title21_Adopted.cfm">http://www.muni.org/planning/prj_Title21_Adopted.cfm</a></p> <p><b>Economic Impact Analysis of Title 21 Rewrite</b>  <a href="http://www.muni.org/iceimages/Planning/FINAL_DRAFT_29Feb2008-rev1.pdf">http://www.muni.org/iceimages/Planning/FINAL_DRAFT_29Feb2008-rev1.pdf</a></p>
	Anchorage Industrial Land Assessment	MOA Planning Department	<a href="http://www.muni.org/iceimages/Planning/FinalReport.pdf">http://www.muni.org/iceimages/Planning/FinalReport.pdf</a>
	Land Use Plan Map Update	MOA Planning Department	<a href="http://www.muni.org/planning/Land_Use_Map_PHD.cfm">http://www.muni.org/planning/Land_Use_Map_PHD.cfm</a>