

Public Meeting on Lake Hood Regulations – 17 AAC 42.500

Meeting date: November 18, 2016

Location: North Terminal, Badge Office Training Room, Ted Stevens Anchorage International Airport

Facilitator: Alex Moss, AIAS Planning Manager

Airport Staff in attendance: John Parrott, Airport Manager (opening remarks), Tim Coons and Cheryl McDowell, Lake Hood Office

Public participation: 8 attendees

Meeting purpose: To collect public/user concerns reference tiedown permits at Lake Hood as regulated by 17 AAC 42.500, *Ted Stevens Anchorage International Airport Tiedown Permits*.

The notes in blue font are organized by reference to the corresponding provision in Article 5 and were compiled by attending airport staff. Notes not directly referring to a specific provision are at the end of the notes. Sections where no notes were recorded are in gray font. Regulation section headings are greatly simplified, please reference the regulation at www.legis.state.ak.us/basis/aac.asp (search for 17 AAC 42.500).

17 AAC 42.500. Scope, findings, and purpose.

(a) and (d) scope

(b) findings

- Need to revalidate findings and refocus regulations based on true demand, especially for slips.

- LHD Master Plan data shows that demand exceeds the current inventory of slip spaces.

Reaffirming demand periodically is valid and is included in the master planning process.

(c) purpose

- Discussed who should qualify for permits: pilots, aircraft owners, pilots that own aircraft, pilots who lease aircraft or share aircraft. Need to take a look at how the entire spectrum is treated in the regulations. Is it appropriate for the regulation to cover a broader group?

- The regulation addresses an individual as a permit holder, but does not address the possibility of a business, a governmental organization, a flying club, or similar entity as a permit holder.

17 AAC 42.510. Application, approval, and categories.

(a) eligibility

- According to the FAA Extension, Safety and Security Act of 2016 the 3rd class medical is no longer required after July 15, 2017; at that point the state regulation would be more restrictive than FAA. The state intends to amend the regulation to accommodate the new law and any rule making published by the FAA.

(b) ownership

- How can we better characterize and govern shared ownership?

(c) seaplane rating

(d), (e) and (f) application / denial

- Reduce size of the regulation by eliminating specific details about how to fill out the application form

(g)-(j) categories

17 AAC 42.520. Terms and conditions.

– General consensus for a use it or lose it approach to permitted spaces, although we need to work on the reasonable, measureable, and enforceable parameters for minimum use.

(a) (b) duration

(c) fee

(d) sublet

– Need a procedure to better enforce this restriction; subletting was reported by the group to be a common occurrence.

(e) airworthy aircraft

(f)-(i) space maintenance/improvements

- Minimize the State's involvement for tree removal. Permittee should be allowed to remove trees using their judgement.

(j) and (k) occupy space w/owned airworthy aircraft

(l) transient parking pool

(m) and (n) medical/pilot certification expiration

(o) and (p) flight activity / configuration requirements

- The rules to retain a slip are too strict. Eliminate all requirements except proof of aircraft ownership. Other opinion – prefer activity based restrictions to keep the pilot focus of the regulation.

(q) and (r) enforcement

– Need to calculate how much it will cost to enforce the regulation as is and amend to something more affordable and that is targeted to achieve the purpose in 42.500(c)

(s) and (t) death of permittee

(u) expiration / cancelation of permit

- Add a notice of termination prior to expiration of permit (30 days?) and allow up to ten days following expiration to vacate. Need more enforcement with the regulation as written.

(v) extensions

17 AAC 42.525. Permit limitations.

(a) commercial use – currently can have a “commercial” permit, but the permittee must be a qualified individual. A non-individual commercial permit might offer the state greater management flexibility as well as creating a better business model for the commercial operators who may not be advantaged by a leasehold.

(b) and (c) multiple permits

(d) and (e) multiple permittees or owners

17 AAC 42.530. Application for subsequent permit.

– Reduce this section down considerably

(a) application timing

(b) and (c) approval / denial

17 AAC 42.540. Switch-list procedures.

(a) purpose

(b) – (d) list priority

(e) offering of switch

(f), (g), and (h) no contact or action by permittee for acceptance

(i) list confirmation

(j) and (k) name removal

17 AAC 42.550. Wait-list procedures.

- Need to regularly validate the wait list; there is still too much potential for overestimating demand based on the length of the list.

- In practice one out of three slip spaces offered is not accepted by the person on the wait list.

- (a) purpose
- (b) list application
- (c) and (d) permit offer
- (e) and (f) name removal
- (g) acceptance
- (h) remaining on list
- (i) notice

17 AAC 42.560. Permit, switch-list, and wait-list information.

(a) –(c) current permittee contact information

17 AAC 42.570. Cancellation of permit, reassignment of space, or suspension of permit.

- (a) written notice
- (b) noncompliance
- (c) and (d) vacate for needs of the airport
- (e) and (f) switch list caveats
- (g) and (h) temporary reassignment
- (i) reassignment
- (j) pro-rata fee reimbursement

17 AAC 42.590. Protest. An applicant or permittee may protest the airport manager's decision to deny an application or to cancel, reassign, or suspend a permit in accordance with 17 AAC 42.910.

General comments:

- Overall agreement that several provisions are too lengthy or too difficult to enforce, comply or simply understand; simplify where possible.
- Need to address permittee liability...currently permittee is solely liable for an incident – operate at your own risk provision. Should state shoulder some of this risk or mitigate in some manner? Close LHD to the public. LHD security should mirror ANC security. How can I protect myself and aircraft ie: install a fence around wheel tiedown space?
- Since demand for wheeled spaces is not a big concern, perhaps consider regulating float and wheel permits separately; could loosen the regulations for wheeled operators and decrease the administrative burden for the state.
- Demonstrate how the impound rules are enforced.
- More and more slips are being allocated to leaseholds rather than permittees.