

Ted Stevens Anchorage International Tie-Down Permit Regulations Public Meeting

December 12, 2017

Regulations Project

Oct 2016 - Lake Hood User Group Introduction

Nov-Dec 2016 – Public input, gather staff records

Jan-Mar 2017 – Airport staff discussions

April 5, 2017 – Advisory Committee initial meeting

April 2017 – Regulations framework refinement

May 18, 2017 – Advisory Committee meeting #2

June-Sept 2017 – Draft change proposals

Nov 1, 2017 – Advisory Committee meeting #3

Nov 29, 2017 – Public Notice of proposed regulations, begin public comment period

 Dec 12, 2017 – Public meeting

Jan 19, 2018 – End of public comment period

Jan 20–31, 2018 – Consideration of public comments

Feb 2018 – Agency attorney review/DOT&PF Commissioner approval decision

Feb-Mar 2018 – Regulations attorney review/Lt Gov approval decision

Mar-Apr 2018 – Possible date for regulations to take effect

Review

- **Review/major revision of regulation not done since 2001**
- **Review results:**
 - Current regulation is convoluted, complex, confusing, lengthy, some provisions difficult to enforce
 - Current version was in response to 1980s/90s adversities
 - Several instances of administrative burden with no positive outcome
 - Notary requirements
 - Annual refresh of waitlist
 - Aircraft basing and activity requirements

Revision Highlights

- **Simplify, be clear and concise**
 - Cut length (50%) & reorganized for easier reading - 14 to 8 pages
 - Removed provisions dealing with “how to fill out the form”
 - Clearly stated permit/tiedown concepts; assignment, priority, cancellation, renewal
 - Cut admin burden – no more “notary”; no more annual waitlist fee/re-cert
- **Reasonably enforceable - 1995 Legislative Audit**
 - Removed aircraft lease option and “unenforceable” activity provisions
- **Provide reasonable discriminators to address demand**
 - Focused on water tiedowns
 - Activity (use it or lose it), aircraft ownership, pilot certification (age)
 - Removed medical certificate requirement
- **Consider permit term of less than the current 5 years**
 - All permits 3 years
- **For minor concerns provide options prior to loss of permit**
 - One year option to two years – all at airport manager discretion

Section Adjustments

Current Sections

- Scope, findings, and purpose
- Application, approval, and categories
- Terms and conditions
- Permit limitations
- Application for subsequent permit
- Switch-list procedures
- Wait-list procedures
- Permit, switch-list, and wait-list information
- Cancellation of permit, reassignment of space, or suspension of permit
- Protest
- Transitional compliance requirements
- Definitions

Proposed Sections

- Scope, purpose, and categories
- Application, approval, and tiedown assignments
- Terms and conditions
- Permit Renewal
- Temporary Tiedown Use
- Permit Cancellation
- Wait-list procedures
- Switch-list procedures
- Transitional compliance requirements
- Protest and extension
- Definitions

Section Highlights

17 AAC 42.500. Scope, purpose and categories.

- Eliminates the findings statements
- The purpose and scope are restated in one sentence
- Tiedown categories are moved to this section to provide a better understanding of the scope
- New categories are established based on parking surface: land, water, and ice

17 AAC 42.510. Application, qualification, approval, and tiedown assignments

- Tiedown categories are moved to section 500
- Tiedown assignment priority is added: switch list, wait list, new applications
- Sections 510 and 520 are reorganized to accomplish several objectives:
 - Focus section 510 on the application process and 520 on terms and conditions
 - Allow section 510 and 520 to apply in part to wait-list requirements
 - Includes provisions of current section 560, *Permit, switch-list, and wait-list information*, into 510; remove current 560
 - Include provisions of previous section 525, *Permit Limitations*, into 520; eliminate previous 525
- Removed notarization requirements
- Application form specifics are removed; instructions will be on the form

Section Highlights

17 AAC 42.520. Terms and conditions

- See reorganization of 510 and 520 described on the previous slide
- This section is organized to focus provisions on the major elements of the permit process; the permittee, the airport manager, the permit, the tiedown, and the aircraft
- Removed aircraft lease as a condition of the permit; must now be an aircraft owner
- Removed the requirement to be a pilot and have minimum activity for a land or ice tiedown
- Removed the requirement to have a medical certificate
- Reduced the term of a water and land permit to three years
- Discussions of permit cancellation, to include the permittees death are moved to the new permit cancellation section
- Non-compliance concerns are consolidated into one paragraph with a one year allowance
- Improvements may now be allowed on all tiedowns, not just water tiedowns
- Water tiedown activity is reduced to three flights during the float season
- Added an “own risk” statement to address some concerns about airport liability
- Permit/tiedown inspections – airport manager may conduct inspections to monitor compliance and require written or other documentation to establish compliance

Section Highlights

17 AAC 42.530. Permit renewal

- Section is renamed and incorporates previous section 530, *Application for subsequent permit*
- Added statement that renewals are not limited and the current tiedown is retained

17 AAC 42.535. Temporary tiedown use

- Expands on the previous 52.520(I) which provided for transient use of a tiedown
- Added restrictions on when a permit could be offered and accepted for temporary airport use
- Added restrictions on the permittee, tiedown status, and fees during the temporary period

17 AAC 42.540. Switch-list procedures

- Basic concept is retained, however moves many procedural steps to airport policy or to the application form instructions

Section Highlights

17 AAC 42.550. Wait-list procedures

- Incorporates some of the previous wait-list section, but moves most to airport policy or to the application form instructions
- Removes the annual resubmittal procedure; a new up-front fee based process is being considered
- Allows a second chance opportunity if at top of wait list and not able to meet requirements

17 AAC 42.570. Permit cancellation

- Section is renamed and incorporates previous section 570, *Cancellation of permit, reassignment of space, or suspension of permit*
- Reassignment of space provisions were moved to the new terms and conditions section
- Removes any wording associated with suspension or termination of permit
- A permittee may be removed from a multiple permittee permit without canceling the permit

Section Highlights

17 AAC 42.580. Transitional compliance requirements

- Land and water tiedown permits will be transitioned to three-year terms as they expire
- Allows someone currently leasing an aircraft until the end of their current permit, or two years, which ever is later, to become an owner

17 AAC 42.590. Extension and protest

- Same as old section and moves the old extension provision into this section

17 AAC 42.599. Definitions

- Added: appropriate aircraft, as is, light aircraft, float season, ski season, owner, own risk, pilot certificate, suitable tiedown, ice tiedown permit, land tiedown permit, water tiedown permit, ice tiedown, land tiedown, water tiedown, renewed permit, and tiedown
- Removed: co-owner pilot, noncommercial purpose, ice permit, wheel permit, and float permit, ice space, wheel space, float space, subsequent permit, and space

More information

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Lake Hood website –

<http://dot.alaska.gov/anc/business/generalAviation/>

Alaska Online Public Notice –

<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=187873>

Questions and Comments

LHD Regulations Advisory Committee

John Pratt - Seaplane Pilots Association

Kelly Miller - Alaska Airmen Association

Corey Hester - Alaska Airmen Association

Jim Seeley - Lake Hood Pilots Association

Carol Zerbe - Lake Hood Pilots Association

Scott Christy - Lake Hood Pilots Association

Darren Newton - Waitlist

Clint Lentfer - Waitlist

Kevin Greenfield - Waitlist

Dee Hanson – Aircraft Owners and Pilots Association

Dennis Geary - Lake Hood User