

# MEMORANDUM

CITY/BOROUGH OF JUNEAU

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**DATE:** February 14, 2000 (UPDATED)

**TO:** PLANNING AND POLICY COMMITTEE

**FROM:** Donna B. Pierce, Deputy City Manager  
John Corso, City Attorney  
Cheryl Easterwood, Community Development Director  
Caryl McConkie, Tourism Coordinator

**SUBJECT:** FLIGHTSEEING NOISE MITIGATION OPTIONS

At the request of the Planning and Policy Committee, staff has researched the City and Borough of Juneau's options to minimize the impacts of flightseeing noise on the community, including the extent of the CBJ's authority to regulate aircraft noise. While some of the options discussed in recent Planning and Policy Committee meetings have not proven feasible, there are actions the CBJ can take. Staff has prepared a succinct description of the CBJ's limitations, as well as recommendations for addressing flightseeing noise.

## FINDINGS

1. A combination of federal and state law leaves the CBJ powerless to regulate aviation in the air or at existing private air facilities.
2. The CBJ does have the power to regulate the number and frequency of takeoffs and landings and the hours of operation at air facilities owned by the CBJ. We may be able to apply different rules to different kinds of aircraft. The federal government will demand that our regulations be reasonable and nondiscriminatory. Our power to impose restrictions at the airport may be limited by grant assurance associated with FAA construction funding.
3. The CBJ does have the power to use zoning laws to limit the number and location of new public and private air facilities.
4. A combination of effective voluntary compliance measures and incentives will be needed to influence flight patterns and aircraft noise in the air.

## RECOMMENDATIONS

Given the strict limitations of our powers, we must exercise them carefully. In order to impact operations for the 2000 tourism season and lay the foundation for actions that will affect subsequent seasons, staff makes the following recommendations.

### ***Establish Policy Specific to Flightseeing Noise.***

- Adopt a clear statement of intent regarding flightseeing noise and traffic and seek acceptance of voluntary measures that are consistent with Assembly intent (a memo outlining pertinent policy questions is forthcoming). —*February 2000*
- Inform our congressional delegation and representatives in Washington D.C. of our growing concerns regarding flightseeing noise and work with other delegations which are seeking greater local control of aircraft noise mitigation. — *March 2000*

- Prepare a letter to key federal agencies to describe the CBJ's efforts to address flightseeing noise and request that the U.S. Forest Service use incentives in the permitting process to encourage operators to achieve noise reduction (*March 2000*).

***Take Immediate Action on Key Information Gathering and Preparatory Activities.***

- Hire an acoustic consultant to inform us of the time and cost involved in measuring noise at the airport and surrounding areas and heliports. —*April 2000*
- Amend or adopt land use ordinances as necessary to maximize control over the location and construction of private air facilities (heliports are currently allowed as conditional uses in GC, WC, WI, and I zones). —*August 2000 (or April 2000 for non-code ordinance to allow experimental heliports during summer 2000)*
- Secure services of an environmental consultant to establish a systematic process for the consideration of potential heliport sites and to evaluate potential sites by applying approved criteria. — *May 2000*
- Hire an acoustic consultant to monitor sound levels during heliport demonstrations.
- Consider providing incentives (includes removing property tax disincentives) such as sales tax exemptions, zero-rent leases, and a low-cost source of capital to encourage adherence to Assembly policy, relocation of current operations, or adoption of quiet technology when it becomes available. — *May 2000*

***Take Action to Benefit the 2000 Tourism Season.***

- Work with flightseeing operators on voluntary compliance measures that will be implemented during the 2000 tourism season, direct Tourism Advisory Committee to incorporate those changes in the 2000 Voluntary Compliance Program, communicate proposed changes to the public, and measure public response at the end of the season. — *March 2000*

***Take Longer-range Actions***

- Conduct the recommended noise measurements and neighborhood surveys, as funds permit.
- Failing effective noise mitigation through other measures, adopt restrictions to control noise at the airport and surrounding areas in accordance with the results of measurements and surveys.
- Develop a long-range comprehensive tourism plan.

