

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND AND WATER

<input type="checkbox"/> Resource Assessment and Development Section 550 W 7th Ave., Suite 1050 Anchorage, AK 99501-3579 (907) 269-8534	<input type="checkbox"/> Northern Region 3700 Airport Way Fairbanks, AK 99709 (907) 451-2740	<input type="checkbox"/> Southcentral Region 550 W 7th Ave., Suite 900C Anchorage, AK 99501-3577 (907) 269-8552	<input checked="" type="checkbox"/> Southeast Region 400 Willoughby, #400 Juneau, AK 99801 (907) 465-3400
---	--	---	---

APPLICATION FOR PURCHASE OR LEASE OF STATE LAND

May 22, 2008

Date

ADL # (assigned by DNR)

Applicant's Name: City and Borough of Juneau

Doing business as: _____

Mailing Address 155 South Seward StreetCity/State/Zip Juneau, Alaska 99801E-Mail: tcarson@carsondorn.com (agent)Message Phone () _____ Work Phone (907) 586-4447 (agent) Soc. Sec. # and/or Tax ID # NA

Is applicant a corporation qualified to do business in Alaska? **Yes.** Is the corporation in good standing with the State of Alaska, Dept. of Commerce and Economic Development? **Yes.**

Is applicant 18 years or older? **Yes.** Are you applying for a ☐ lease or ☒ Sale? What kind of lease or sale are you applying for? ☒ Tideland; ☐ Public/Charitable Use; ☐ Grazing; ☐ Millsite; ☐ Negotiated; ☐ Competitive.

If a lease, how many years are you applying for? _____ years. (55 years Max.)

Legal Description: Lot(s) _____ Block/Tract # _____ Survey/Subdivision _____

Other:

The following documents are attached to this application and are referenced herein:

Enclosure 1: Site Conveyance Diagrams (2 pages).

Enclosure 2: CBJ Justification for Transfer (3 pages).

Enclosure 3: Mitigation Plan (revised 12/12/07)

Meridian Copper RiverTownship T40S, Range R65E, Section(s) 36 Acres 2.70Township T40S, Range R66E, Section(s) 32 Acres 2.06Total Acres: 4.76Municipality Juneau LORAN Reading (optional) _____Geographic Location: 2.70 acres on west end of JNU runway, 2.06 acres on east end of JNU runway.

What is the proposed use of and activity on the state land? Improvements at Juneau International Airport (JNU) to bring the facility into compliance with FAA regulations, including runway safety areas (RSAs) at both ends of the runway. This application is made in accordance with the provisions of AS16.20.034 and with the requirements of the Mendenhall Wetlands State Game Refuge Management Plan. Site conveyance diagrams showing the locations and areas of requested lands are provided herewith as Enclosure 1. The applicant's written justification for acquiring refuge land is also provided herewith as Enclosure 2.

Are there any improvements on the land now? ☐ yes ☒ No. If yes, who owns the improvements, and what is the estimated value?

If yes, describe any existing improvements on the land.

Are there any improvements or construction planned? ☒ Yes ☐ no. If yes, describe them and their estimated value.

West End RSA (Enclosure 1, Sheet 1 of 2):

The west-end RSA will extend the fill prism of the RSA to the bank of the Mendenhall River at the southwest corner. This will allow the EVAR Dike Trail to be shifted approximately 275 feet to the west. The projected elevation of the EVAR/Dike Trail will be about 25.5 mllw. An 8 foot fence will separate the EVAR/Dike Trail from the Float Plane Pond Access Road. Inside the perimeter fence a new, 70-foot wide Float Plane Pond access road will be constructed to the west of the 2:1 fill slope supporting the RSA. East of the road, a 600-foot RSA will be constructed (the displaced threshold and brake-release point for Runway 08 will remain the same).

East End RSA (Enclosure 1, Sheet 2 of 2):

The east-end RSA will extend approximately 145 feet into the Refuge. To ensure maintenance of the estuarine wetlands south of the Honsinger Family Trust Pond and Jordan Creek, a new channel will be constructed to pass tidal flows between the wetlands north and south of the runway, around the RSA embankment. To complete the lateral RSA (the safety area paralleling the runway), the lateral RSA on the south side of the runway will be widened approximately 138 feet to meet FAA's 500-foot width requirements for RSA. The existing swale between the taxiway and runway will also be filled.

The extended runway surface will be paved. The surface of the RSA beyond the blast pad will be covered with four inches of topsoil and vegetated with grass, preferably with species unpalatable to geese. A 2:1 fill slope will be constructed for stabilization of the RSA on the south side of the runway/RSA and along the north side of the runway/RSA and taxiway fills. The slope will be supported by riprap designed to withstand the erosion forces specific to each fill area. The RSA end slope would be graded at 4:1 down to the ground level and will be vegetated with grass. Portions of the end slope may be covered with riprap or a drivable protective mat below high tide line to prevent erosion. The extended surfaces would be crowned and surface runoff would be directed to adjacent vegetation.

Estimated Costs (from FEIS Appendix A):

The combined overall estimated cost of the west and east end RSA project is estimated at \$15.4 million (page A-11, FEIS), but that amount includes work on existing airport property as well as on land that is the subject of this application. It is roughly estimated that 35% of the overall RSA project, or \$5.4 million, is applicable to land requested under this application.

State the proposed construction date: July 2009; estimated completion date*: June 2014

Name and address of adjacent land owners and, if you are applying for tidelands, the name and address of the adjacent upland owners: JNU is requesting land at each end of the runway. In both cases, the requested land touches existing JNU property at one end, and is surrounded on the remaining sides by the MWSGR.

Are you currently in default on, or in violation of, any purchase contract, lease, permit or other authorization issued by the department under 11 AAC? ☐ yes ☒ No. Within the past three years, has the department foreclosed or terminated any purchase contract, lease, permit or other authorization issued to you? ☐ yes ☒ No.

Non-refundable filing fee: \$100

Date Stamp:

(Fee may be waived under 11 AAC 05.010(c))

Is the land applied for subject to any existing leases or permits? ☐ yes ☒ No. If yes, ☐ lease or ☐ permit?

Name lease/permit is issued under: _____

Do you think you qualify for a non-competitive lease or sale? ☒ Yes ☐ no. If yes, under what provision of AS 38.05?

- ☐ AS 38.05.035(b)(2) (to correct an error or omission);
- ☐ AS 38.05.035(b)(3) (owner of bona fide improvements);
- ☐ AS 38.05.035(b)(5) (occupied, or are the heir of someone who occupied the land before statehood);
- ☐ AS 38.05.035(b)(7) (adjacent owner of remnant of state land, not adjoining other state land);
- ☐ AS 38.05.068 and .087 (U.S. Forest Service Permittee);
- ☐ AS 38.05.075(c) (upland owner or lessee);
- ☐ AS 38.05.035(f) (erected a building and used the land for business purposes);
- ☐ AS 38.05.102 (current long-term lessee or current shore fishery lessee);
- ☐ AS 38.05.255 (millsite lease for mine-related facilities);
- ☐ AS 38.05.810(a)* (government agency; tax-exempt, non-profit organization organized to operate a cemetery, solid waste facility, or other public facility; or a subdivision's nonprofit, tax-exempt homeowners' association);
- ☐ AS 38.05.810(b)-(d) (non-profit corporation, association, club, or society operated for charitable, religious, scientific, or educational purposes, or for the promotion of social welfare, or a youth encampment);
- ☐ AS 38.05.810(e) (licensed public utility or licensed common carrier);
- ☐ AS 38.05.810(f) (non-profit cooperative organized under AS 10.25, or licensed public utility);
- ☐ AS 38.05.810(h) (Alaska Aerospace Development Corporation);
- ☐ AS 38.05.810(i) (port authority);
- ☒ AS 38.05.825 (municipality applying for occupied or developable tidelands);
- ☐ other (please explain): _____

If you have checked one of the above statutes, attach a statement detailing your qualifications under each requirement of that statute.

CBJ is applying for this land transfer under AS 38.05.825, and as such must satisfy six criteria identified therein. The six criteria are listed below along with comments that show how CBJ complies with each.

- 1) **The requested land must be within or contiguous to the boundaries of the municipality.**
The two parcels requested under this application are contiguous to JNU property, and JNU is part of part of the municipality. Thus, criterion 1 is satisfied.
- 2) **The proposed land use must not unreasonably interfere with navigation or public access.**
As detailed elsewhere in this application, the proposed land use is to bring JNU into compliance with FAA safety standards. No waterway navigation channels will be impacted, and all existing public access will be maintained. Thus, criterion 2 is satisfied.
- 3) **CBJ must apply to DNR for conveyance of requested land, in accordance with AS 38.05.825.**
By virtue of this application packet, CBJ is satisfying criterion 3.

- 4) Requested land must not be subject to a shore fisheries lease under AS 38.05.082, or if it is, the commissioner must determine it is in the best interests of the state to convey the land.
DNR, Division of Mining, Lands, and Water has indicated that the refuge land that is the subject of this application is not subject to a shore fisheries lease under AS 38.05.082, so criterion 4 is satisfied.
- 5) The requested land is classified for waterfront development or for another use that is consistent or compatible with the use proposed by CBJ, or the proposed use of the land is consistent or compatible with a land use plan adopted by CBJ, the department, or the Alaska Coastal Policy Council.
DNR has adopted the Juneau State Land Plan. The Juneau State Land Plan identifies the MWSGR as Region 4 and identifies MWSGR Management Plan as the controlling document regarding land uses in MWSGR. The MWSGR Management Plan specifically provides for airport expansion under certain circumstances, and this application is submitted in compliance with those requirements. Consequently, criterion 5 is satisfied.
- 6) The requested land must be A) required for the accomplishment of a public or private development approved by CBJ, B) the subject of a lease from the state to CBJ, or C) approved for lease by the municipality.
As detailed elsewhere in this application, the proposed land use is to bring JNU into compliance with FAA safety standards. The specific development work required to bring JNU into compliance, and the required land transfer that is the subject of this application, have been approved by CBJ. Consequently, criterion 6 is satisfied.

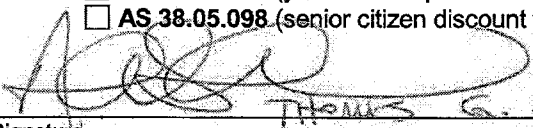
Do you think you qualify to lease the land for less than fair market value? ☐ yes ☒ No.

If yes, under what provision of AS 38.05?

☐ AS 38.05.097 (youth encampment or similar recreational purpose);

☐ other (please explain).

☐ AS 38.05.098 (senior citizen discount for a residential lease);


THOMAS G. CARSON

Signature

JUNEAU INTERNATIONAL AIRPORT

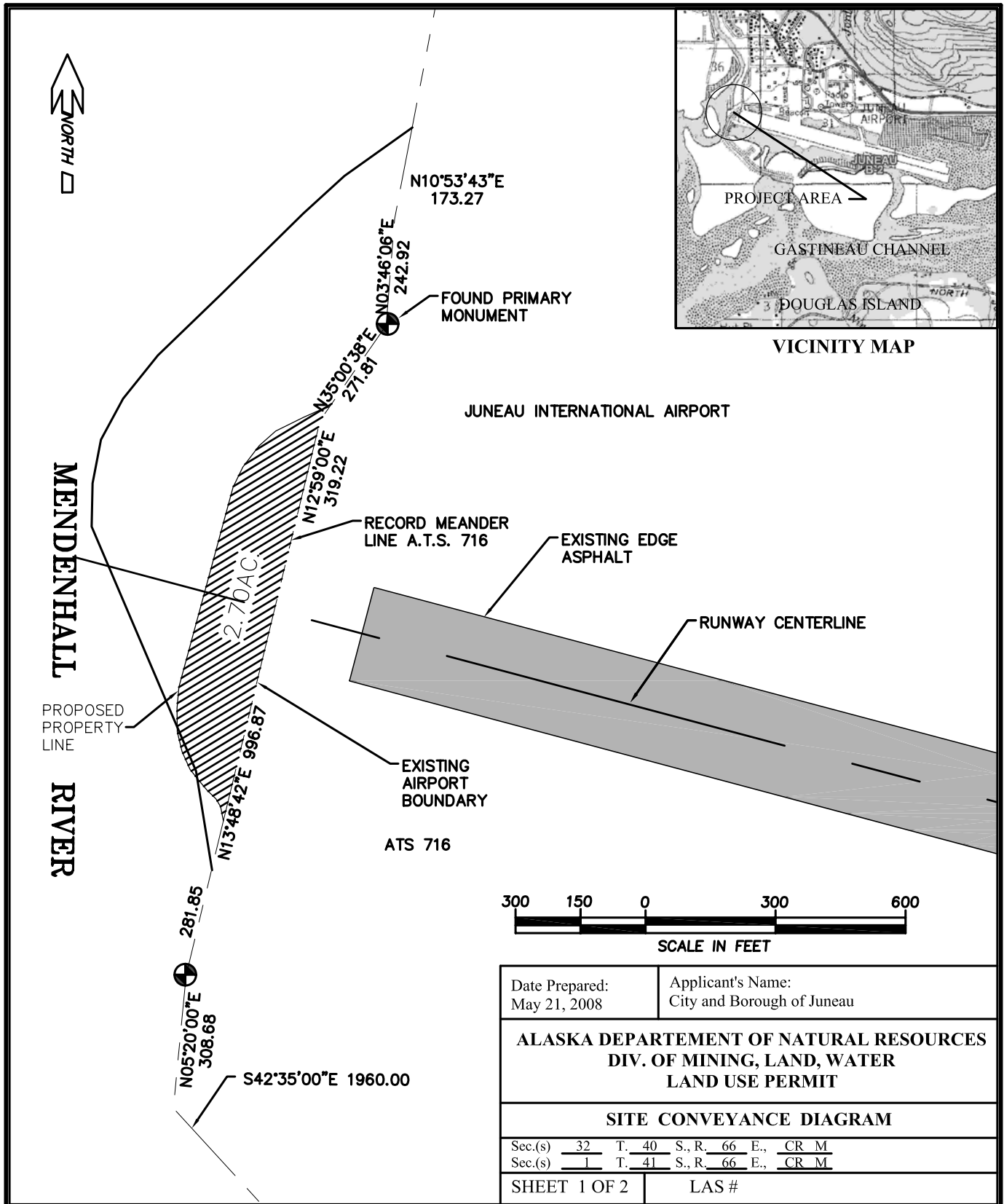
If applying on behalf of an agency, municipality, or organization, state which one

5/22/08
Date
PERMITTING CONSULTANT
Title

NOTICE TO APPLICANT:

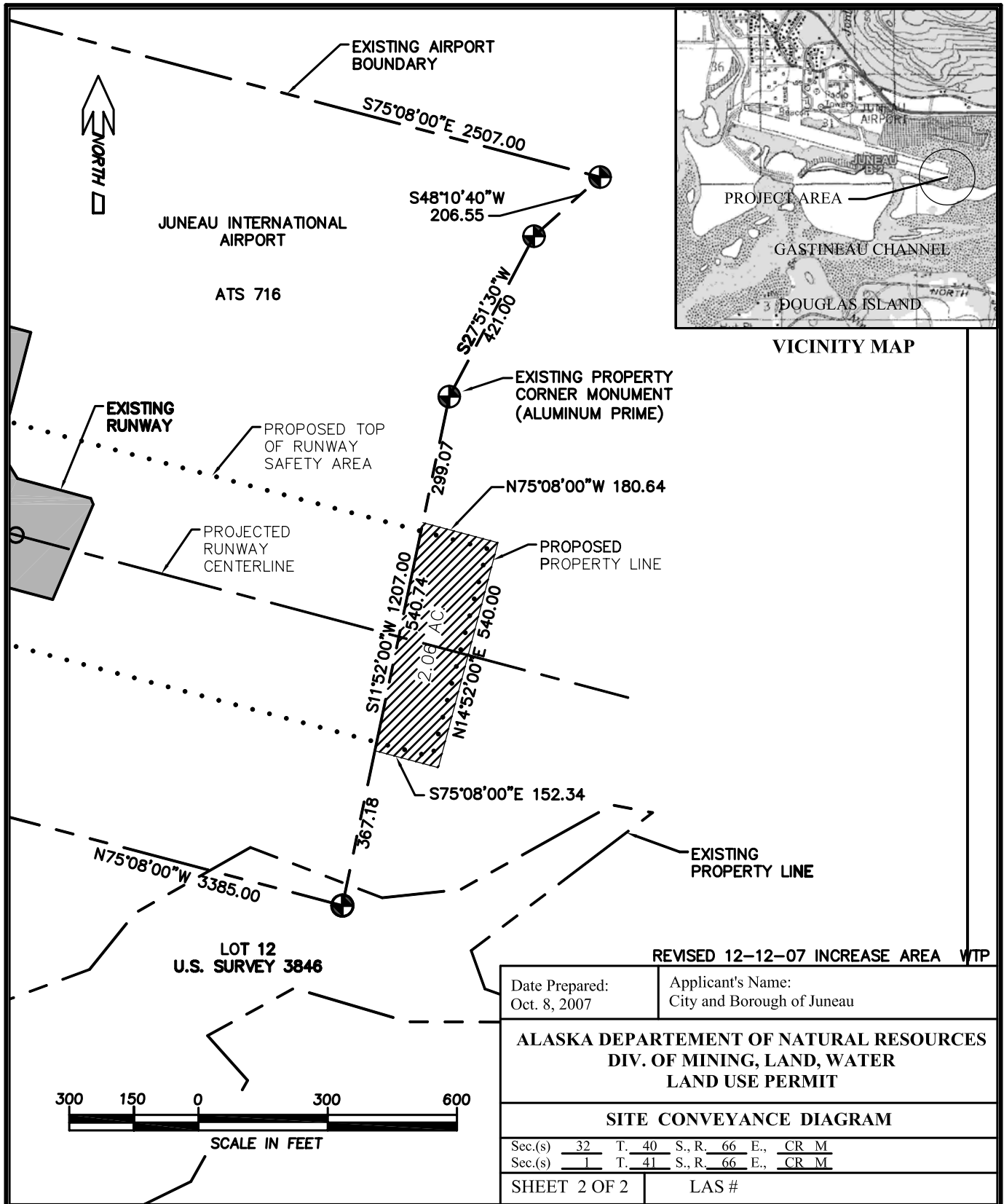
- * For applications filed by a municipality under AS 38.05.810, if there is a remaining entitlement of the municipality under AS 29.65, land transferred under AS 38.05.810 shall be credited toward fulfillment of the entitlement.
- * Construction may not commence until approval is granted by lessor.
- * This application will not be considered unless it is accompanied by the appropriate filing fee and completed in full. THE FILING FEE WILL NOT BE REFUNDED NOR IS IT TRANSFERABLE. All checks are to be made payable to the Department of Revenue.
- * Include a 1:63,360 USGS map showing location of proposed activities in relation to survey monumentation or fixed geographical features which fully illustrates your intended use, including the location of buildings and improvements and access points, labeled with all dimensions, and a development plan providing a complete list of proposed activities.
- * The applicant may be required to deposit a sum of money sufficient to cover the estimated cost of survey, appraisal, and advertising. If the land is sold or leased to another party, the deposit will be returned to the applicant.
- * The filing of this application and payment of the filing fee vests the applicant with no right or priority in the lands applied for. It is merely an expression of the desire to purchase or lease a parcel of land when and if it becomes available. Filing an application serves the purpose of notifying the state that an individual is interested in purchasing or leasing land. It is not a claim, nor does it in any way obligate the state to sell or lease land.
- * If the application site is in the Coastal Zone, include a Coastal Project Questionnaire (www.gov.state.ak.us/dgc/Projects/projects.html).
- * If the application is for a commercial fish camp, include a copy of your limited entry permit or an interim-use salmon set net permit.
- * If applying for a senior citizen discount, include form 102-1042.
- * AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources. This information is made a part of the state public land records and becomes public information under AS 40.25.110 and 40.25.120 (unless the information qualifies for confidentiality under AS 38.05.035(a)(9) and confidentiality is requested). Public information is open to inspection by you or any member of the public. A person who is the subject of the information may challenge its accuracy or completeness under AS 44.99.310, by giving a written description of the challenged information, the changes needed to correct it, and a name and address where the person can be reached. False statements made in an application for a benefit are punishable under AS 11.56.210.

SITE CONVEYANCE DIAGRAM



Date Prepared: May 21, 2008	Applicant's Name: City and Borough of Juneau
ALASKA DEPARTMENT OF NATURAL RESOURCES DIV. OF MINING, LAND, WATER LAND USE PERMIT	
SITE CONVEYANCE DIAGRAM	
Sec.(s) <u>32</u> T. <u>40</u> S., R. <u>66</u> E., <u>CR</u> <u>M</u>	
Sec.(s) <u>1</u> T. <u>41</u> S., R. <u>66</u> E., <u>CR</u> <u>M</u>	
SHEET 1 OF 2	LAS #

SITE CONVEYANCE DIAGRAM



May 22, 2008

CBJ Justification for Transfer of Mendenhall Wetlands State Game Refuge Land

The Mendenhall Wetlands State Game Refuge Management Plan provides for the City and Borough of Juneau (CBJ) to acquire refuge lands for airport expansion so long as four criteria are satisfied. The following paragraphs list the criteria and present CBJ's response to each requirement.

1. Is there a significant public need for the expansion which cannot be reasonably met off-refuge or through the use of alternative transportation modes and technologies?

The current RSA at the Juneau International Airport (JNU) does not comply with Federal Aviation Administration (FAA) standards. In order to bring JNU into compliance with national standards, CBJ is proposing an RSA Project consisting of a number of additions to the existing RSA and a limited number of changes to the runway. The improvements are required and will enhance the safety of the Juneau's traveling public.

2. Has the use of refuge lands been avoided or minimized to the maximum extent feasible?

RSA-5E is described in detail in Section 2.6.6 of the Juneau International Airport Final Environmental Impact Statement (FEIS). RSA-5E was developed by the FAA and CBJ in consultation with the Cooperating Agencies to avoid fill into the channel of the Mendenhall River at the west end of the runway, to minimize impacts to the Mendenhall Wetlands State Game Refuge (MWSGR) on the east end, and to preserve runway operational capabilities.

On the west end of the runway, RSA-5E will require a total of 5.3 acres of land (2.6 acres on airport property and **2.7 acres on current Refuge property**). The RSA Project fill-prism extends only as far as the bank of the Mendenhall River at the southwest corner, transitioning down to the bank at a steep 1.5:1 slope.

On the east end, RSA-5E will extend approximately 145 feet into the Refuge, requiring **2.06 acres of current Refuge land**. To minimize impacts, a 2:1 fill slope (riprap) will be constructed for stabilization of the south side of the runway/RSA and along the north side of the runway/RSA and taxiway fills. The end slope will be graded at 4:1 down to the ground level to accommodate operational requirements.

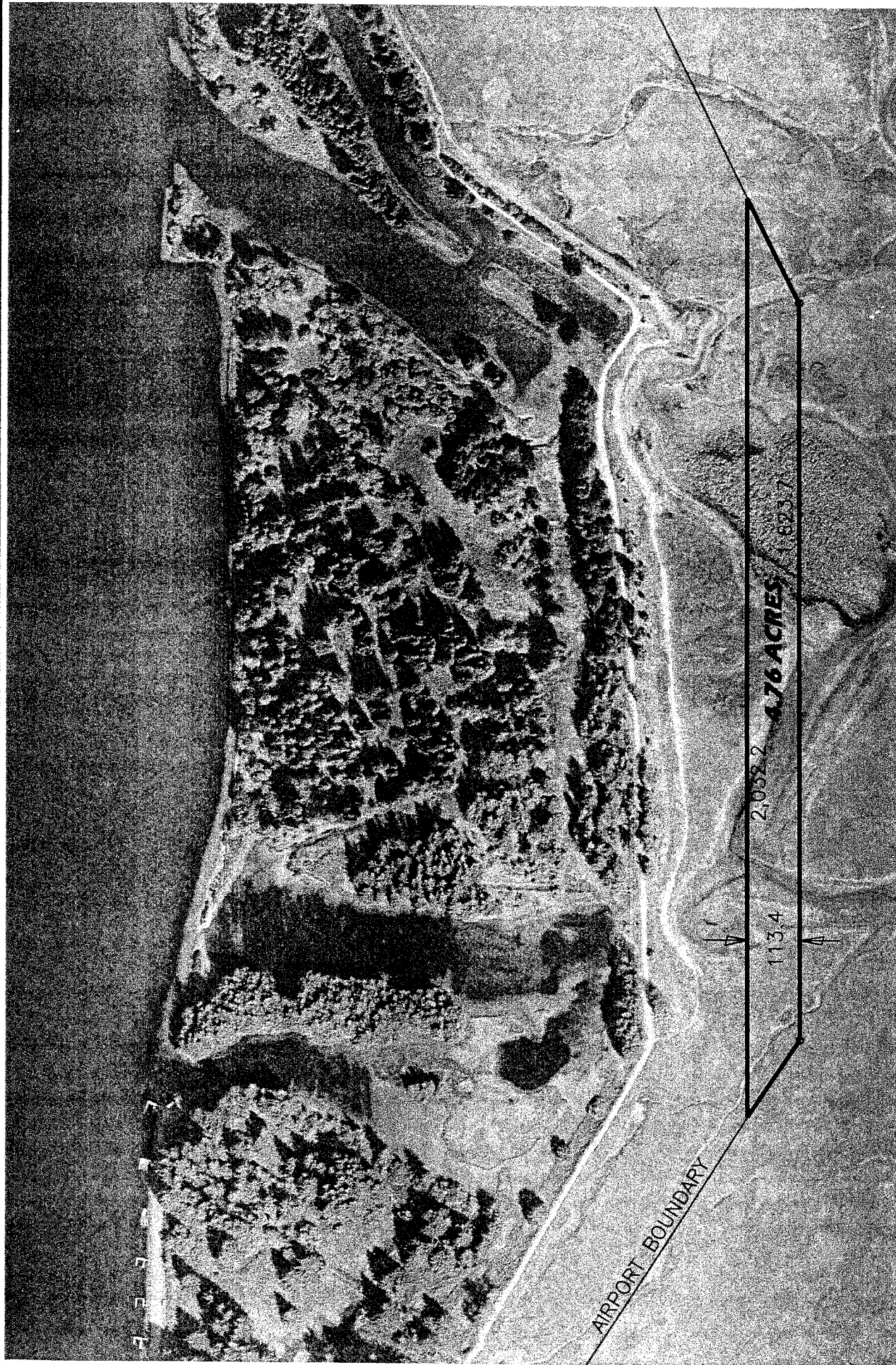
3. Will all impacts to the refuge and to refuge resources be fully mitigated through

restoration and/or replacement?

JALP is requesting a transfer of **4.76 acres of Refuge land** for the RSA project. JNU proposes an exchange of equal value wetlands from the south boundary of the airport to fully compensate the State of Alaska for the transferred land. The proposed exchange is independent from any compensation provided for in the Mitigation Plan and no changes are proposed for that document.

4. Will the airport expansion project not create hazardous attraction to waterfowl?

JNU is poised to embark on a large improvement effort comprised of several component projects. The new RSAs and the associated west end wetlands fill project are the only component projects that impact refuge land. Neither of these projects creates a hazardous attraction to waterfowl. The intent is that all JNU projects be designed to minimize and reduce such attractions so that airport operations become safer for the traveling public. Thus, specific design features to avoid creation of new hazards will be incorporated into the projects.



1" = 300'

Land Disposal

June 5, 2008

