

## Airport Tree Meeting, June 7, 2018, Questions/Notes

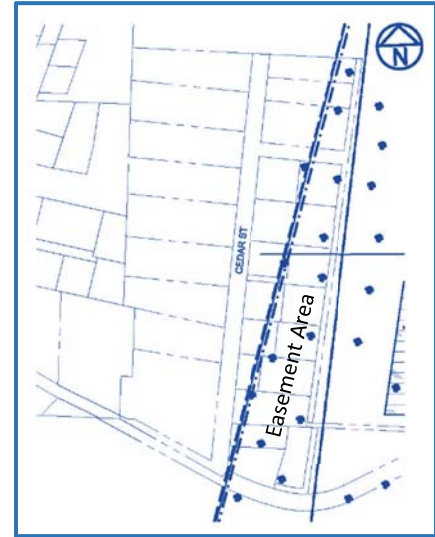
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### 1. How is East Cedar Street involved with potential tree removal?

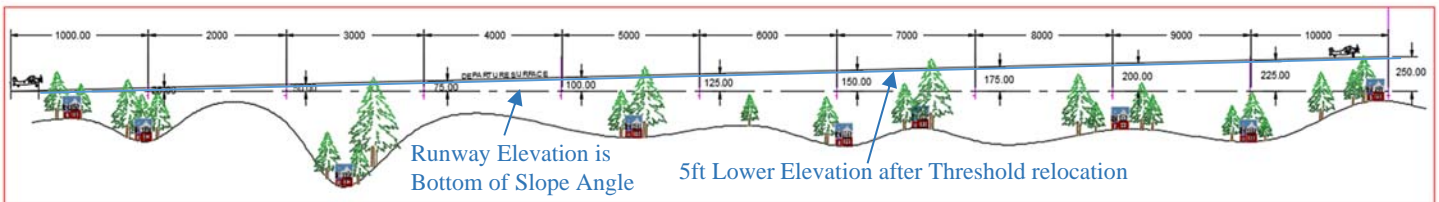
The only properties in the Pruner Subdivision within the air surfaces are located East of Cedar St.

### 2. What impact does the 200 foot extension of the runway have relating to the height limit on trees within the imaginary surfaces?

There is a 200-foot offset between the current Runway 34 threshold and the future Runway 34 threshold. At a 34:1 approach slope, relocating RW 34 threshold lowers tree height requirement by approximately 5 feet 9 inches.



The departure surface climbs very slowly: 1 foot vertically for every 40 feet horizontally. In 10,000 feet, the surface climbs only 250 feet. The approach slope is steeper with 1 foot of vertical rise for every 34 horizontal feet. At a 40:1 departure slope, the elevation lowers by 5 feet.



### 3. Are our property values affected by the removal of trees from the neighborhood?

This will be determined as part of the appraisal process.

### 4. Will stumps be removed where trees are cut down?

The City intends to remove all stumps in the neighbor tree removal unless a property owner wishes stump to remain.

### 5. What steps can the city take if someone does not voluntarily sign a right-of-entry agreement for access as part of the environmental assessment? What steps can the city take if someone refuses to enter into a navigation easement?

At this date, no decisions has been made by the City Council or City Manager regarding “next steps” for the possible tree removal from within the scope of the project at the Newport Municipal Airport. But, if the City wants to maintain the Airport and continue to receive federal funding for airport related projects, then the City will have two options: 1) the City must obtain a voluntary consent under a Right of Entry Agreement;

or 2) proceed to involuntarily acquire a license for access (to conduct the environmental assessment) through the City's exercise of its power of eminent domain.

The City Council would determine whether the airport project is in the public's interest and the use of eminent domain to acquire a property interest allowing access would be appropriate. It is always the City's intent to be cooperative and resolve possible disputes in a mutually agreeable manner with the property owner. However, if voluntary Right of Entry resolution is not possible, then legal proceedings would have to be considered to acquire such a right. Of course, under both the federal and state constitutions the property owner is entitled to be reasonably compensated for any interest legally acquired by such a "take." You should consult with legal counsel of your choosing regarding such proceedings.

In short, you can force the City to pursue legal action to resolve this matter.

**6. Will landowners get copies of the environmental assessment (we said yes)**

The City will not be mailing a copy of the environmental assessment to everyone, but the City will provide notice when the assessment is completed with a link on the Airport website where everyone may access the report.

**7. Who will be responsible for removing future trees if they encroach into the imaginary surfaces?**

The answer depends on how the aviation easement is negotiated. The City is currently considering three Easement Options:

- Top Trees – City tops tree once; *Owner pays* for tree removal if tree dies; *Owner pays* to maintain / top / remove tree if it grows back into the airspace.
- Remove Entire Tree; *City pays* to replace Top Soil and Seed Removal Area; *City pays* to remove any future trees that grow into easement defined airspace.
- Remove Entire Tree; *City pays* to remove tree; no restoration work / *Owner pays* for Top Soil and Seed. *Either* City pays to remove future trees that grow into easement defined airspace *or* Owner pays to remove future trees that grown into easement defined airspace.

**8. Will the city look at the tree issue based on ten (10) year windows for tree growth?**

The City will be assessing. The trees on a 20-year period. Since the Airport Geographic Information Survey (AGIS) was started in 2014, the next LIDAR survey will assess the current tree heights. We will assess the trees 15 feet below the departure surface to allow for the trees growth from 2014 – 2021. This will allow for a longer time period of 20 years before the survey will need to be done.

**9. How are the intrinsic values of property valued for purposes of appraisals or granting aviation easements?**

The following is an excerpt from the *Land Acquisition and Relocation Assistance for Airport Improvement Program (AIP) Assisted Projects*, FAA Advisory Circular No. 150/5100-17:



1.2.5.2.1 Required Negotiations Procedure:

The goal of negotiations is to secure an amicable purchase agreement with the property owner for the just compensation of the needed property. The airport must not undertake coercive measures to force agreement. Instead, the airport's negotiator must fully explain the airport offer and help the property owner evaluate the airport offer. The airport must also consider property value information provided by the property owner during negotiations. If the property owner's information is creditable and/or the circumstances of the proposed acquisition change, the airport must update its offer of just compensation.

This section provides the owner with the opportunity to document any value to their property not considered in the original appraisal.

**10. Will the power point presentation be placed online?**

Yes. The PowerPoint presentation is online.

**11. What is the economic impact of the Airport to the community?**

The local economy already benefits from the Airport in many ways, as is reported in the Oregon Aviation System Plan 2014 Update – Newport Municipal Airport Individual Report. The report is primarily focused on producing an Economic Impact Study (EIS) and is provided in Appendix E of the Master Plan on the City's web site. It is estimated the direct and in - direct impact at the Airport and off - Airport visitor spending is approximately \$16.7 million. Based on this report, the Airport is an important economic generator for the local region. The airport not only services the City of Newport but everywhere within a 30 minute drive time. In fiscal year 17/18 the airport logged over 8,000 aircraft operations; the two courtesy cars were checked out 404 times (a courtesy car is a car the flying public can borrow to go to Newport for two hours, have lunch, buy fresh fish, shop, etc..) The airport also rented 329 rental cars. Newport has overnight shipping, the USCG Helicopter, Life Flight, and will play a very important role for the community in the event of a Cascadia Subduction Zone earthquake.

**12. What role would the Airport play during the Cascadia Subduction Zone earthquake, and would the Airport survive intact after this geological event?**

Newport Municipal Airport has been designated as critical infrastructure that is essential to facilitating the planned air response, supply distribution; rescue, evacuation, and recovery efforts. In 2017 the City of Newport was awarded a grant to have a seismic assessment done on the airport to answer this very question. The airport will still be here; but not likely operational for fixed wing aircraft until certain repairs are made to facilitate emergency flights. The airport would facilitate helicopters only. We have posted a draft copy of the seismic study findings on the City of Newport's web page along with the draft executive summary. We also posted a link to the draft Oregon Aviation Plan for Airport System Resilience study to provide a broader perspective on airport resiliency throughout the state.



**13. How will the easements impact future maintenance activities to keep the airspace clear?**

This will depend on how the aviation easements are negotiated; either the City or the property owner will be responsible to maintain the trees.

**14. Scotch broom is a major environmental problem in previously cleared areas of the Airport. Will the environmental assessment review options for addressing existing Scotch broom, and will the environmental assessment take into effect that cleared areas under this program may be subject to the invasion of Scotch broom?**

The City will discuss the scotch broom impacts in areas within the project boundary with the environmental consultant.

**15. During the last clearing effort at the end of the runway, large stumps were left in place, and brush piles were never taken care of. Can these be taken care of as part of this project as a safety issue in the event that an airplane overshoots the runway? What is the safe area at the end of the runway?**

The removal of the slash piles will become part of the project scope of work. The slash piles have been in place long enough now that the existing slash piles need to be evaluated as part of the environmental assessment. Meaning: removal or mitigation of all slash piles (existing or new) will become a work item for completion prior to releasing final payment based on the environmental findings.

The project manager is responsible to see that all work is finished before releasing final payment. Further, there will be someone for the neighborhood to contact throughout the project if they find something left undone.

**16. Who owns/maintains the ditch that runs along the Airport protection zone?**

It is hard to see the ditch in the aerial. We will need locate the ditch through survey to know for sure who owns it. We will evaluate ownership as the project progresses.

