

PORT OF HOOD RIVER

RESOLUTION No. 2016-17-1

ADOPTING AIRPORT ACCESS POLICY

WHEREAS, The Port of Hood River ("Port") owns and manages the Ken Jernstedt Airfield ("Airport"); and
WHEREAS, in 2012 Congress passed a law (P.L. 112-95, "Act") that authorizes general aviation airport sponsors, such as the Port, to allow aircraft owners who are adjacent property owners to the Airport, to enter into a residential through the fence agreement for direct airport access, and the Federal Aviation Agency ("FAA") has adopted policies consistent with the Act; and


WHEREAS, the Port Airport Access Policy is consistent with the Act; now, therefore

BE IT RESOLVED that the Port hereby approves the September 20, 2016 Airport Access Policy.

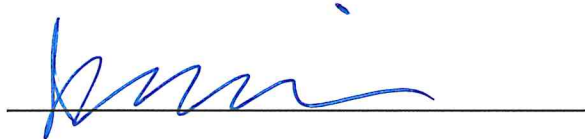
ADOPTED BY THE BOARD OF COMMISSIONERS this 20th day of September 2016.



President – Brian Shortt



Vice President – Fred Duckwall



Secretary – Jon Davies



Treasurer – Rich McBride

(Absent)

Commissioner – Hobby Streich

PORT OF HOOD RIVER
AIRPORT ACCESS POLICY
KEN JERNSTEDT AIRFIELD

Adopted September 20, 2016

INTRODUCTION

The Ken Jernstedt Airfield (Airport) is owned and has been operated by the Port of Hood River (Port) since 1976. The Port is a special district in the State of Oregon and operates under ORS Chapter 777 and other state and federal laws. The Port's mission is promoting economic development and a high quality of life in the Columbia Gorge Region. The Airport is a public facility and supports agriculture, tourism, recreation, economic development and aviation training in the Hood River Valley. The Federal Aviation Administration (FAA) provides significant capital funding for the Airport.

To insure continued financial support and consistency with its policies, the FAA has directed the Port to adopt a policy that clearly describes and limits the circumstances upon which private property owners residing on property zoned as residential may access the Airport. The Port's Airport Master Plan describes current access points to the airport.

I. AIRPORT ACCESS

A. Residential

1. Access to the Airport from a property zoned as residential must follow the FAA guidelines for Residential Through-the-Fence (RTTF) outlined in (78 Fed. Reg. 2013-16917; July 16, 2013). Compliance guidance can be found under (CGL) 2013-01, *FAA Review of Existing and Proposed Residential Through-the-Fence Access Agreements*. The Port is required to submit to the FAA district office any new RTTF agreement that creates an access point not listed on the current Airport Layout Plan (ALP) as approved by the FAA. The Port will need to submit a copy of the revised ALP showing the proposed access along with a draft RTTF document. The RTTF agreement must meet the terms and conditions contained in the law to the maximum extent possible. The law requires that all RTTF property owners must:
 - a. The property owner must possess a current pilot license;
 - b. The property owner executes a Residential Through The Fence Access Agreement prepared by the Port and approved by the Port Commission;
 - c. The term will be for five years with a possibility of renewal based upon the Port's discretion.
 - d. Specific aircraft associated with the property are identified and are registered with the Port.
 - e. The property owner aircraft liability insurance satisfactory to the Port.
 - f. The property owner will pay to the Port charges comparable fees charged to other airport tenants and operators making similar use of the airport. Currently, this is the equivalent of a monthly tie down rate. However the Port may change at its discretion another comparable fee.

- g. The property owner must pay the costs to build and maintain any infrastructure necessary to provide access to the airfield from their residential property adjacent to the airfield;
- h. The property owner must maintain the property for residential, noncommercial, use for the life of the agreement;
- i. The property owner must adhere to the distance and height restrictions of any structure on their property from the center line of the runway to the property as outlined in the FAA guidelines above;
- j. Any infrastructure or structure must be approved by the Port;
- k. The property owner will prohibit others from accessing the airport from their property; and
- l. The property owner is prohibited from refueling on the property, except when refueling their own aircraft;
- m. Commercial use of the access is prohibited.

B. Commercial

1. Access to the Airport from a commercial business will be permitted only if the property is zoned for commercial or industrial use and the Port determines such access is consistent with FAA regulations. The Port will seek advice from the FAA in interpreting any commercial access conditions.

C. Existing Easement Access

1. Notwithstanding the access restrictions stated above, direct access is allowed from the north side of the Airport under the provisions of the September 14, 1994 Easement between the Port of Hood River and Terry E. Brandt, recorded in Hood River County official records in 1995 as instrument # 95026.

II. ENFORCEMENT

A. Ordinance

1. Port Ordinance 23, dated May 24, 2011 describes Airport conduct, access restrictions and specific enforcement mechanisms.