



AIRPORT BOARD AGENDA

July 11, 2024 at 6:00 PM

Airport Alaska Room/Zoom

<https://juneau.zoom.us/j/82856995400?pwd=YUNLd2p1OFI3TnY3NUpKa3BRQmFidz09>

or Dial: 1-833-548-0276 Meeting ID: 828 5699 5400 Passcode: 697369

TO TESTIFY: CONTACT PAM CHAPIN, 907-586-0962

BY 3:00 PM ON JULY 10, 2024

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

1. **Airport Board Minutes for June 13, 2024**

D. APPROVAL OF AGENDA

E. ELECTION OF OFFICERS

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. UNFINISHED BUSINESS

2. **Float Pond Access Road Follow-up on Airport Improvement Program (AIP) Ineligible Costs.** At the June Airport Board meeting, the Board asked staff to provide the details on the AIP-ineligible costs for the Float Pond Access Road project. The Board approved transfers of Airport Fund Balance Funds from the drawdown of FY24 CARES funding (Gate K Culvert Project). The Airport Float Pond Access Road Project had \$59,761.34 in AIP-ineligible change orders.

Project Manager Mike Greene provided the following to the Airport Board's inquiry of AIP-ineligible costs for BE22-127 JNU Rehabilitate Access Road (Float Pond Ph II) project. These were through Requests for Proposal (RFP) / Change Order items:

\$ 1,250.00 Block Stands for Chain Link Fence (ACME FENCE CO.)

The construction contract called for the Contractor to use JNU's chain link fence panels for the creation of a temporary revised perimeter fence line. The project needed more of the concrete block stands than were in inventory, so JNU purchased more of the concrete block stands. These stands have since been retained for use on future projects. This cost was not run through the Contractor, which avoided overhead and profit mark-ups.

\$ 3,711.34 Gangway Embed Modifications

This was RFP 001 which was issued by JNU to the Contractor to address differing gangway hinge connections found in the field which were different from those shown on the construction documents. The RFP was issued to obtain the correct gangway hinge connections. This additional cost was not AIP eligible because it addressed an oversight within the construction documents.

\$48,500.00 Pave Roadway Crossings

This was RFP 002 which was issued by JNU to the Contractor to address additional asphalt paving work associated with the Alaska Electric Light & Power (AEL&P) utility work to bring electrical service over to the float pond valve vault and to extend this power along the north side of the pond to the primary tenant floats. AELP's work was done the previous summer, and their quote to JNU did not include the replacement of asphalt paving over the nine (9) trench lines that they had introduced as crossings across

the float pond access road. JNU incorporated the asphalt repair work into the Rehab Access Road project because of the availability of a paving Contractor and favorable unit pricing based on a competitive bid. This additional cost was not AIP eligible because the utility work had been deemed non-eligible the year before by the Federal Aviation Administration (FAA).

\$ 4,000.00 Rock at Existing Culvert

This was RFP 003 which was issued by JNU to the Contractor to address the removal of sediment from the outfall of an existing culvert, and to place additional armor rock to prevent the future accumulation of more sediment by wave action. This additional cost was not AIP eligible because it represented maintenance / repair work which the FAA expects JNU to be doing as part of its routine operations.

\$ 2,300.00 Concrete Clean-Up Slab

This was RFP 004 which was issued by JNU to the Contractor to address the introduction of a new clean-up / topping slab over the outfall structure of the float pond valve vault. This slab represented a repair and betterment to the existing slab which was showing signs of deterioration. This additional cost was not AIP eligible because it represented maintenance / repair work which the FAA expects JNU to be doing as part of its routine operations.

\$59,761.34 in total additional costs. \$58,511.34 of which was run through the BE22-127 project and that had been deemed non-AIP eligible by FAA.

Total Project Construction Cost: \$ 2,330,974.34 (includes RFP's 001, 002, 003 and 004)

Note that almost every capital project that the Airport has done has had AIP-ineligible components, either by FAA design standards during planning or through change orders during a project. The purpose of local contingency is to fund these in a project and not have delays, unless the costs are more than what is in the contingency. This is normal.

No action; informational only.

3. **Airport Board Bylaws (Attachment #1).** The Airport Bylaws have not been updated and adopted since 2004. In May 2017, the Board approved some 'housekeeping' changes to the Bylaws, but they were never forwarded to the Assembly for adoption. Attachment #1 shows the consolidated changes (in track changes) since 2004, provided by staff to the Airport Board for review. The changes reflect current practice (day/time of Board meetings, how they are held, and other minor changes). The draft was provided at the June meeting for the Board for introduction and initial review. The updated Airport Bylaws July 2024 draft are now before the Board for discussion and approval. Upon Board approval, the Bylaws will be forwarded to the Assembly for adoption.

Board Motion: *"Approve the Airport Bylaws, dated July 2024, as amended, and forward to the Assembly for final adoption."*

4. **Cox Environmental Draft Channel Flying Contamination Report.** In 2014 during a project that required paving a drive lane just south of the old sand shed and Channel/Loken (Coastal) hangar property (off airport), contamination of soil and groundwater was found. Alaska Department of Environmental Conservation (ADEC) Site Contamination responded and opened a case (Channel Flying Juneau Airport, ADEC File #: 1513.38.095). While testing was done initially on the airport side, contamination was never mitigated, nor further testing done, and remained an open contamination case for both the Airport and Loken/Channel Flying property. Cox Environmental was hired by both parties to perform testing on each property. The [draft Site Characterization Report](#) is provided for review. A link to the download may be found here: ADEC Site Characterization Report for property located at 8995 Yandukin Drive and Airport property to the south. Jolene Cox, Cox Environmental, will be in attendance at the meeting to review and answer any questions. A summary of the report is provided below:

The scope of work consisted of:

Channel Flying (CF) Property:

- Installation of twelve (12) on-site soil borings to delineate impacts to on-site soil.
- Installation of three (3) on-site groundwater monitoring wells to delineate impacts to on-site groundwater.
- Collection of soil samples (plus field duplicates) for laboratory analysis.
- Collection of groundwater samples (plus field duplicates) from the three (3) groundwater monitoring wells for laboratory analysis.

JIA (JNU) Property:

- Installation of twelve (12) on-site soil borings to delineate impacts to on-site soil.
- Installation of three (3) on-site groundwater monitoring wells to delineate impacts to on-site groundwater.
- Collection of soil samples (plus field duplicates) for laboratory analysis.
- Collection of groundwater samples (plus field duplicates) from the three (3) groundwater monitoring wells for laboratory analysis.

Summary Report refer to soil borings & monitoring well locations are depicted on Figure 3. Soil Borings & Groundwater Monitoring Well Locations.

- GRO soil contamination is present above the ADEC Method 2 Ingestion and Inhalation Cleanup Levels of 1,400 mg/kg in CF-11-4 and JIA-5-4.5.
- DRO soil contamination is present above the Migration to Groundwater Cleanup Level of 260 mg/kg in CF-1-06, CF-1-6, CF-10-8, CF-11-4, CF-11-8, CF-11-10, CF-12-06, CF-12-8, JIA-2-6, JIA-2-8, JIA-2-10, and JIA-5-4.5.
- RRO soil contamination is present above the ADEC Method 2 Ingestion Cleanup Level of 8,300 mg/kg in CF-11-4.
- Arsenic soil contamination is present above the ADEC Method 2 Migration to Groundwater Cleanup Level of 0.2 mg/kg in all soil samples.
- 1,3,5-Trimethylbenzene soil contamination is present above the ADEC Method 2 Migration to Groundwater Cleanup Level of 0.66 mg/kg in CF-11-4.
- Arsenic groundwater contamination is present above the ADEC Groundwater Human Health Cleanup Level of 0.52 µg/L in all six groundwater monitoring wells.
- Lead groundwater contamination is present above the ADEC Groundwater Human Health Cleanup Level of 15 µg/L in CF-12 and JIA-12.
- GRO, DRO, RRO, and 1,3,5-Trimethylbenzene soil contamination above the ADEC Method 2 Ingestion and Inhalation (GRO), Migration to Groundwater (DRO), Ingestion (DRO), and Migration to Groundwater (1,3,5-Trimethylbenzene) Cleanup Levels remains in the vicinity of the historic waste oil burner on the Channel Flying Property and the JIA property to the south. The horizontal & vertical extent of the GRO, DRO, RRO, and 1,3,5-Trimethylbenzene soil contamination has been delineated.
- GRO, DRO, RRO, and 1,3,5-Trimethylbenzene groundwater contamination is not present above ADEC Groundwater Human Health Cleanup Levels in the vicinity of the historic waste oil burner on the Channel Flying Property and the JIA property to the south. The horizontal extent of the GRO, DRO, RRO, and 1,3,5-Trimethylbenzene groundwater contamination has been delineated.
- Arsenic soil and groundwater contamination is present across the entire subject property. Arsenic is not a typical component of petroleum fuels, and it is not intentionally added to gasoline or diesel fuel as

part of the refining process. However, trace amounts of arsenic can sometimes be found in petroleum and petroleum products as contaminants. These trace amounts can originate from the crude oil itself or from the refining process if the crude oil came from arsenic-containing geological formations. Additionally, Arsenic is a naturally occurring metal in Alaska. It is often found in concentrations above ADEC Method 2 Cleanup Levels. These concentrations are typically referred to as “background.” The presence of arsenic may be considered naturally occurring if a site has no known or suspected anthropogenic arsenic sources. Naturally occurring arsenic is released into the environment by volcanoes and through weathering of arsenic-containing minerals and ores.

- Lead groundwater contamination is present above the ADEC Groundwater Human Health Cleanup Level in the vicinity of the historic waste oil burner on the Channel Flying Property and the JIA property to the south. The horizontal extent of the Lead groundwater contamination has not been delineated.
- CES recommends additional groundwater wells be installed on the JIA property to delineate the extent of the lead groundwater contamination plume to the south and west.
- CES recommends a long-term groundwater monitoring plan be developed to monitor lead groundwater contamination on the JIA property to determine if concentrations are increasing/decreasing/or have reached steady-state conditions.
- CES recommends after the extent of the lead groundwater contamination plume is delineated the site be evaluated by ADEC for Site Closure with a determination of “Cleanup Complete with Institutional Controls”.
 - o At sites where residual hazardous substances do not currently pose an unacceptable risk to human health, safety, welfare or to the environment, but where ADEC determines limitations on future land or water use are necessary to prevent activities that could result in exposure and increased risk or the spread of contaminants, institutional controls (ICs) will be required (18 AAC 75.375(a) and 18 AAC 78.625(a)).
 - o ICs must be applied to sites where a cleanup complete decision is being made and current or potential future exposure to contaminated media (soil, groundwater, sediment, surface water and/or air) could pose an unacceptable risk to human health, safety, or welfare, or to the environment. This includes sites where contamination remains in place above applicable cleanup levels in soil and/or groundwater; sites with approved alternative cleanup levels developed under Methods 3 or 4 that are based on assumed limitations on future land or groundwater use; sites where groundwater is determined not to be a current or reasonably expected future drinking water source (350 determination); and sites where maintenance of engineering controls such as a cap over contaminated soil, signs or fencing are necessary.
 - o If ICs are required, they must be established in an environmental covenant, notice of activity and use limitation, and/or another approved IC mechanism, and ADEC must validate their effectiveness through periodic reporting by the responsible person or landowner.
 - o Any determination that a cleanup is complete may be subject to a future determination that the cleanup or applicable ICs are not protective of human health, safety, or welfare, or of the environment, per 18 AAC 75.380(d)(2) and/or 18 AAC 78.276(£)(2).
 - o If ADEC makes a determination that conditions at a site are no longer protective, the site will be reopened, and additional action will be necessary to meet the requirements of the UST regulations or Site Cleanup Rules.

Staff will continue to work with Cox and ADEC on the next steps. Informational only.

H. NEW BUSINESS

5. **Alaska Seaplanes North Concourse Concession (Attachment #2).** In June, the Airport discovered that Alaska Seaplanes was allowing a third-party concession in the new concourse/cargo building at the end of the Airport terminal. There is no tenant or subtenant agreement for this operation. Additionally, the facility is an extension of the Airport terminal and in competition with the Airport's food/beverage concessionaire. Essentially, the business is in violation of airport-use (see Airport Leasing Policy, Attachment #2) and it benefits from the passenger and facilities in the Airport terminal without paying for that use. An excerpt from their lease for Authorized Use of Property is included.

5. AUTHORIZED USE OF PROPERTY

The Leased Premises shall be used exclusively for the processing of passengers and their baggage, cargo, mail, offices related to the aviation business, and related aviation purposes including reasonable and customary uses existing historically or at present elsewhere on the airport property, and pursuant to 14 CFR 135 Operations. For this purpose, Lessee is authorized to construct and/or maintain a facility, at no cost to the City, as provided in this Lease.

Vehicle(s) used to access the Leased Premises must be parked entirely on the Leased Premises so as not to obstruct adjoining roadways, loading areas, maintenance vehicle routes, and taxi lanes. Parking or storage of boats, trailers, additional vehicles or non-aviation related equipment is strictly prohibited, unless specifically authorized in writing by the Airport Manager.

No use, storage or distribution of heating fuel, aircraft fuel or other flammable liquids or hazardous substances in a manner that violates city, state or federal law or regulation or that disregards the warnings, directions or other specifications for the substance shall be permitted on the Leased Premises. Bulk storage of fuel for distribution is prohibited on the Leased Premises.

CBJ Code includes the following:

CBJ Title 05

Under 05.05.100

"(k) Conduct of business or commercial activity. No person shall engage in any business or commercial activity of any nature whatsoever on the airport except with the approval of the airport manager, and under such terms and conditions as may be prescribed."

Under 05.20.020

"(g) Classes of land use or privilege. Land uses and privileges are divided into ... classes:

(1) ...

(2) "Nonaeronautical" such as automobile parking, restaurant, rental car agency, cocktail lounge, gift shop, barber shop, hair dresser salon, cafe, skytel, hotel-motel, newsstand, airline catering, and generally any business or service not included in "aeronautical function" which is located and operated for the convenience of the air-transient public and employees necessary to the maintenance and operation of the airport."

"(i) Leases for nonaeronautical uses. Exclusive franchise or grant may be extended for the right to conduct or engage in nonaeronautical services, and awards will be made only after public auction or by some other appropriate method of determining who will provide the best service for the public and for the airport."

The FAA stated as this was presented, it is not in compliance with permitted use. It will require CBJ and FAA approval, of which there are no guarantees. This includes non-aeronautical rates and use fees.

Further discussion at meeting.

6. **Airport Manager's Report**
7. **Airport Projects Report - Ke Mell**
8. **Airport Projects Report - Mike Greene**

I. CORRESPONDENCE

9. Letter from Kyle Schweissing and the Alaska Airmen's Association regarding Juneau Aviation Trade Show 2025, Attachment #4

J. COMMITTEE REPORTS

10. Finance Committee
11. Operations Committee

K. ASSEMBLY LIAISON

L. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

M. BOARD MEMBER COMMENTS

N. ANNOUNCEMENTS

- O. NEXT MEETING DATE:** August 8, 2024, 6:00 p.m. in the Alaska Room/Zoom

P. EXECUTIVE SESSION

Q. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.gov.