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Mr. Farad Ali
Chairman, Raleigh-Durham Airport Authority
P. O. Box 80001, 1000 Trade Drive
RDU Airport, North Carolina, 27623-0001

Subject: Odd Fellows Tract, An Opportunity for RDU Branding and Community Collaboration

Mr. Ali:

We want to open with a reaffirmation of our desire for a truly collaborative solution to continue to enhance four great assets: The RDU International Airport, William B. Umstead State Park, Wake County's Lake Crabtree County Park, and the Old Reedy Creek Greenway corridor. To illustrate the opportunities and our sincere desires, we relay a short story. In 1968, the RDU Airport proposed a second perpendicular runway. For a runway protection zone, the Odd Fellows tract was purchased. However, this proposed runway was extremely controversial due to a 'taking' of William B. Umstead State Park. The RDU Airport and community working together resulted in the parallel runway layout we have today, which both improved airport efficiency and preserved Umstead State Park.

The Odd Fellows tract, purchased for "Aviation Use" is no longer needed for aviation use. This allows an exceptional opportunity to utilize this tract for revenue generation for the RDU Airport, as well enhancing all the community assets in this vicinity.

We believe that the best way forward is again to work collaboratively towards solutions that improve the aviation components of the RDU International Airport, enhance the branding and tourism opportunities for the RDU International Airport and the region, and take advantage of the community asset of William B. Umstead State Park.

Further, we believe that the FAA can be a facilitator and help navigate the rules towards a sale to The Conservation Fund if asked to do so by the RDU-AA (see attached re: Odd Fellows Sale - FAA Regulations and a September 11, 2017 letter from the FAA).

It is our understanding the Raleigh-Durham Airport Authority (RDU-AA) will soon consider two proposals for the Odd Fellows tract: The Conservation Fund proposal to purchase the tract for eventual transfer to William B Umstead State Park for conservation with new trails and the Wake Stone Corporation proposal to mine the tract for profit.

A fair comparison consistent with what we believe to be the Raleigh-Durham Airport Authority (RDU-AA) obligations for wise stewardship of public resources must include the following described criteria.

Feasibility

The September 11, 2017 letter we received from the FAA states that RDU-AA can sell land at fair market value. The Conservation Fund offer meets this criteria. The same letter states that the Wake Stone quarry option would “not be viewed as an interim use.” Therefore, both of these options would require the SAME “Land Release” FAA approvals.

The Wake Stone Corporation mining proposal will face several regulatory hurdles including National Environmental Policy Act (NEPA) and other FAA obligations concerning adverse effects to nearby lands. While RDU staff may contend that Wake Stone Corporation must undertake and fund the clearing of these hurdles, RDU-AA will necessarily be materially involved in the process and there may be consequences that affect implementation of RDU Vision 2040. It is likely that the RDU-AA and/or the FAA will expend significant time and costs to attempt to get approvals for Wake Stone Corporation to mine the tract. An FAA decision to proceed with a comprehensive environmental impact statement (EIS) would certainly impede the mining operation and may put a hold on other RDU projects tied to the mining. We believe it is essential RDU-AA fully consider the following Federal Aviation Authority (FAA) requirements to determine feasibility.

- NEPA requirements for on-airport mineral extraction - FAA AC No. 150/5100-20.
- Clean Water Act for water quality protections
- FAA/DOT section 4(f) and 2015 Advisory Circular, 150-5070-6B - Alternative land uses to the industrial quarry proposal including irreversible commitment of rare, unspoiled public lands to a private sector mining operation.
- FAA master planning requirements and guidance for airport layout plan (ALP) including the FAA Community Involvement Manual (February, 2016).
- Master planning grant assurance 29 to assess potential adverse affects to the “safety, utility or efficiency” of William B. Umstead State Park and other lands nearby acquired with federal funds.

“Runway Protection Zones” are important for any airport. These are trapezoidal areas off the end of the runway that serves to enhance the protection of people and property on the ground in the event an aircraft lands or crashes beyond the runway end. The Odd Fellows tract is not within or near such as zone or the existing or proposed runways.

Local governments have established “airport overlay districts” to control land use for the safety and welfare of the community related to airport noise and falling aircraft. The Odd Fellows tract is not within or near such a district.

Protection of Adjoining Public Resources

The Odd Fellows tract is essentially surrounded by William B Umstead State Park, the regionally significant Old Reedy Creek Road greenway corridor and Crabtree Creek, all significant public resources. The Odd Fellows tract serves as a significant watershed protection area for Crabtree Creek. William B. Umstead State Park has additional protections due to its listing in the National Register of Historic Places.

It is reasonable to expect RDU-AA as a public entity to require a private party leasing its property to take extra measures to mitigate known and potential degradation of those public resources due to mining operations. Industrial Mining operations are noisy, dusty, require clear cutting of all vegetation and constant movement of heavy vehicles. They also irreversibly alter the landscape to an extent that future use is extremely limited.

Financial

Sale to The Conservation Fund and lease of RFP Parcels 2 and 3 would enable and enhance branding and tourism destination opportunities for the RDU Airport. This, in turn, can be leveraged to enhance the marketability and lease revenues from other RDU properties.

A focus on only the gross revenue generated from a lease or sale is not consistent with RDU-AA's fiduciary obligations. RDU-AA must consider net revenue after the costs to RDU-AA and the public that will result from accepting a proposal. Essential cost components related to the Wake Stone Corporation mining proposal are listed below.

- Costs for compliance with FAA requirements borne by RDU-AA and/or FAA.
- Costs for RDU-AA oversight of the lease and property during the life of the mining permit.
- Costs for perpetual maintenance of the abandoned quarry pit post-reclamation to include liability insurance, access controls, inspections, surveillance, emergency response and any other foreseeable long-term costs.
- Costs for returning the tract to substantial revenue generation - NC Mining rules require only minimal post-quarry reclamation: site grading where practical and planting grass with no consideration of a future use or long-term care of the abandoned pit. Unless RDU-AA stipulates that the Odd Fellows tract will only be capable of producing de-minimus revenue post-mining, then future costs to return the tract to a productive use will be at RDU-AA or public expense and should be considered in the comparison of proposals. **It is likely the costs for returning the tract to substantial revenue generation could easily exceed the total value of the lease revenue over the life of the quarry.**
- Cost from lost resource value - If RDU-AA stipulates that the Odd Fellows tract will only be capable of producing de-minimus revenue post-mining, then RDU-AA must determine a severance or opportunity cost as a component of the lease comparison to account for lost resource value and lost future rent due to the destruction of the land resource.

Community Acceptance and Compatible Land Use

As evidenced by the over 1,000 individual public comments and approximately 9,500 petition signatures, the public is enthusiastically supportive of The Conservation Fund purchase offer (Parcel 1) and Wake County's lease offer (RFP Parcels 2&3).

Sale to the Conservation Fund with the stated intention of conveying these lands to Umstead State Park or Wake County for recreational use cannot be considered an incompatible land use. As described in the FAA Airport Compliance Manual and other relevant FAA guidance the concern for land use is focused on the creation of hazards to air navigation and airport utility from obstructions to flight paths and noise-related incompatibility resulting from residential construction too close to the airport. The Conservation Fund offer does not trigger either condition. Just the opposite, per the FAA Airport Compliance Manual "[p]roximity to ... recreation areas has proven not only to be compatible but to be mutually beneficial as well."

Respectfully submitted on behalf of the RDU Forest Working Group,

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Two Attachments

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