

Carroll County Airport PAPI Light Timber Harvest Variance Request

The following addresses the sections of the Carroll County Forest Conservation Ordinance (FCO).

§115-20 Technical Manual

This section adopts and ties the Carroll County Forest Conservation Manual (FCM) to the FCO.

- When the Carroll County Forestry Board met to discuss the PAPI Light timber harvest because the harvest retained basal area was below the FCO required 70 square foot threshold, it was the Board's interpretation that Section 3.3, subsection 2 (page 3-39) of the FCM determined the process this timber harvest must follow to meet requirements set by the FCO.

§115-14 Variances.

Section A-1; A-2.

Section A addresses potential reasons and conditions that could create exceptional circumstances thereby creating the need to request a variance. The following circumstances have created the need for a request for variance.

- A letter from the FAA (see Attached) identifying tree top penetrations into the Obstruction Clearance Surfaces requesting same penetrations be removed for the safety of those using the airport.
- Hardship to Carroll County could be incurred as a result of the unsafe airport conditions caused by the trees interfering with the PAPI Lights.
- A timber harvest was initiated that created a clearcut measuring less than one acre within each of the two tracts covered by FCO protection.
- The Carroll County Forestry Board met regarding this timber harvest and determined that no environmental degradation will be incurred by the timber harvest. In their letter (see Attached), the Forestry Board approved the Stewardship Plan (see Attached) drafted to address the timber harvest and the continued management of the woodlands.

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The following are reasons for supporting the request for relief from the technical requirements found in the Carroll County Code Chapter 115 and Forest Conservation Manual 3.3.3. The requirements found in the above referenced County Code and Manual will not be compromised based on (Paragraph C. (1 – 5)):

- 1) The desired action is required to provide for the safe operations of the Carroll County Regional Airport Precision Approach System. The need for the desired action is specific to the Carroll County Airport and to other similarly operated and constructed airports throughout the United States. The operation of the enhanced Precision Approach system required the specific clearance of certain obstructions, in this case forest cover, as provided for in Federal Aviation Administration requirements. Therefore, the requested variance is needed to conform to these requirements and provide for safe, efficient operations of the Precision Approach system.

The Carroll County Forestry Board has determined the proposed action conforms to the appropriate requirements for forest stewardship and best management practice implementation. In addition, the desired action will not result in the permanent loss of forest cover. Therefore, the desired action will not result in an environmentally degraded condition.

- 2) The granting of the variance will allow for compliance with federal requirements regarding the removal of obstructions objects for operations of the Precision Approach system. These requirements apply to all airport operations utilizing similar approach systems. Therefore, the granting of the variance would be applicable to other similar airport operations and thus not creating a special privilege.
- 3) The desired action is the specific direction of another authority (federal in this case) and not due to the applicant's subjective or willful actions.
- 4) There is no neighboring property, and no land or building use condition causing or arising from the removal action.
- 5) The Carroll County Forestry Board determined that the Forest Stewardship and associated Timber Harvest Plan conformed with current requirements and practices related to environmental protection. The Timber Harvest Plan included a Forest Management and Buffer Management Plan to specifically address water quality protection where applicable. Therefore, proper and required review and approval has been performed regarding the desired action to ensure environmental integrity of the forest and water systems.

