



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda - Final Planning and Zoning Commission

Wednesday, February 11, 2026

7:00 PM

Council Chambers

Regular Meeting

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC BUSINESS FROM THE FLOOR

IV. PUBLIC HEARINGS

1. [Public Hearing CUP 25-03: Application from Pulseline Adventures, LLC for a Conditional Use Permit for a Helipad](#)

V. NEW BUSINESS

1. [Approval of Conditional Use Permit 25-03 - A Request from Pulseline Adventures, LLC for a Conditional Use Permit to Allow a Helipad on a Portion of the Southwest ¼, Northwest ¼, Section 28, Township 9 South, Range 4 West, Copper River Meridian, and Adopt Findings](#)

VI. REPORTS

1. Community Development Director's Report

VII. COMMISSION BUSINESS FROM THE FLOOR

VIII. ADJOURNMENT



Legislation Text

File #: 26-0060, **Version:** 1

ITEM TITLE:

Public Hearing CUP 25-03: Application from Pulseline Adventures, LLC for a Conditional Use Permit for a Helipad

SUBMITTED BY: Bruce Wall, Senior Planner

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Public Hearing Only

SUMMARY STATEMENT:

The purpose of this hearing is to allow the public to comment on an application for a Conditional Use Permit. The application was submitted by Pulseline Adventures, LLC for a helipad at approximately 500 feet south of MP 11.5 Richardson Highway.

Applicant: Pulseline Adventures, LLC

Property Owner: State of Alaska, Department of Natural Resources

Street Address: Near MP 11.5 Richardson Highway

Legal Description: A portion of the Southwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 28, Township 9 South, Range 4 West, Copper River Meridian

Zoning District: Public Lands (P)

Existing Land Use: Vacant Land

Access: Gravel pit access road via Richardson Highway

Notice of the meeting was published on the City of Valdez website on January 21, 2026. Notice of the meeting was mailed on January 23, 2026, to the 10 property owners within 500 feet of the proposed helipad and within 500 feet of the requested flight paths. A document holder was posted on Richardson Highway near MP 11.5 with public notice flyers on January 23, 2026.



CITY OF VALDEZ CONDITIONAL USE PERMIT (CUP) APPLICATION

All fields are required. If not applicable, please mark with N/A or dash.

Office Use Only

Application Number 25-03 Date Received 12/29/2025
Initials BW

APPLICANT INFORMATION

Name Pulseline Adventure, LLC
Phone [REDACTED]
Email [REDACTED]
Mailing Address [REDACTED]
[REDACTED]

PROPERTY

Address 61.06101° N Longitude: 145.9617° W Datum: NAD83
Legal Description SW1/4NW1/4 Section 28, Township 9 South, Range 4 West, Copper River Meridian

PROPERTY OWNER INFORMATION

Name State of Alaska DNR Division of Mining, Land & Water
Phone [REDACTED]
Email [REDACTED]
Mailing Address 550 W 7th Ave Ste 900
Anchorage, AK 99501

REPRESENTATIVE INFORMATION (if applicable)

Name John Forbes
Phone [REDACTED]
Email [REDACTED]
Mailing Address 550 W 7th Ave Ste 900
Anchorage, AK 99501

City of Valdez
Application for Conditional Use Permit

Name of Applicant: Pulseline Adventure

Address of Applicant:

[REDACTED]

Contact Phone Number: [REDACTED]

Legal Owners:

Gabe Monroe
Geoff Perusse

[REDACTED]

Geographic Location:

Located approx. 350 feet south of the Richardson Highway at milepost 11.5 off the gravel pit access road leading into Material Site #71-1-040-5, approx. 14 miles southeast of Valdez.

There are no residences within 500 feet of the proposed site or proposed flight paths.

Latitude:

61.06101° N Longitude: 145.9617° W Datum: NAD83

Legal Description:

SW1/4NW1/4 Section 28, Township 9 South, Range 4 West, Copper River Meridian

Other Land Information:

- Municipality: City of Valdez
- Regional Corporation: Chugach Alaska Corp.
- Special Use Areas: Thompson Pass Special Use Area

Planning & Classification:

1988 Prince William Sound Area Plan, Management Unit 21: City of Valdez, Subunit 211: Robe

Lake. Primary Surface Uses: Forestry, Habitat & Harvest, Public Recreation. Prohibited Surface Use: Land Offerings Land Classifications: Forest Land, Wildlife Habitat Land, Public Recreation Land.

Unit 21 states that "uses such as material sales, land leases, or permits that are not specifically prohibited, may be allowed. Such uses will be allowed if consistent with the management intent statement, management guidelines of this unit, and relevant management guidelines in Chapter 2"

(Pg 3-172).

The Recreation, Tourism, Cultural and Scenic Resources section of Chapter 2 of the area plan states that "private recreation facilities may be authorized if the facility meets the management intent and guidelines outlined in Chapter 3, it fulfills the conditions outlined in this guideline and it is in the public interest as determined through a written finding by the land manager or a management plan prepared in accordance with AS 41.21.302(c)" (2-27).

The site also falls within the 1994 Thompson Pass Special Use Area (TPSUA) serialized as ADL 226446, which is designated as special use lands for recreational purposes. The plan states that the special use area will not affect public access, nor will it preclude any future land management action deemed to be in the public interest.

After review, the proposed use of state lands for creating a temporary staging area for day-use purposes on a short-term and as-needed basis is consistent with the applicable guidelines and management intent of the PWSAP and TPSUA.

Third Party Interests:

The proposed site is located off an access road that leads into the state-owned Material Site MS 71-0-004-2 (ADL 419633) with material site authorizations issued to the State Pipeline Coordinator's Section (SPCO) (ADL 230853) and the Department of Transportation (DOT&PF) (ADL 201005). A land use permit for material storage (LAS 33573) has also been issued to Alyeska Pipeline Service Company (APSC) by SPCO.

How will the proposed use conform to the present and future development of the area? What will be its effect on present and future development?

The State of Alaska Department of Natural Resources issued Pulseline Adventure a 5-year Commercial Recreation Permit (LAS 34927) under AS 38.05.850, permitting a staging area for helicopter landing and re-fueling, and for loading/unloading passengers on an occasional basis, in support of a commercial heli-skiing operation at the 12-mile State Gravel Pit access site.

The issuance of the permit followed a 14-day agency review period that began on March 22, 2024 and concluded on April 5th, 2024. The review was sent to the DNR Office of History & Archaeology, DNR Land Sales and Development, DNR Realty Services, DNR State Parks

Permitting, DNR Division of Oil & Gas, DNR Statewide Abatement of Impaired Lands section, Department of Environmental Conservation, Alaska Department of Fish & Game (ADF&G), DOT&PF, US Army Corps of Engineers, US Fish & Wildlife Service, US Environmental Protection Agency, DNR-DMLW Realty Services Section, ***the City of Valdez (note: no comments or concerns were received)***, DNR-DMLW Resources Access & Development Section, and SPCO. The Federal Aviation Administration (FAA) reviewed the request post-agency review.

Additionally, the 14-day public notice period began on March 22, 2024 and concluded on April 5th, 2024. The public notice was sent to Chugach Alaska Corp., Alyeska Pipeline Service Company (Alyeska), property owners within the nearby Alpine Woods subdivision, the two closest post offices, and was posted to the State of Alaska online public notice webpage. Several public comments were received, in which their substantive issues are summarized and discussed below. These included concerns about proximity to residential neighborhoods, potential noise pollution, potential impacts on recreation in the area, potential environmental and wildlife impacts, and whether alternative locations were considered.

Finally, there was no appeal to the decision by DNR to issue the permit.

Currently there is no planned development of the area that we are aware of or have observed, and the proposed use as a short-term, seasonal landing zone/staging area to support our heli-skiing operations should not have any effect on present and/or future development; the site area is only about one-third of an acre, in close proximity to Richardson Highway, and our operations at the site would be completely mobile with no permanent structures or equipment. We don't foresee any future development, since the specific site is only utilized by Alyeska Pipeline and Alaska State DOT primarily during non winter months after the conclusion of the heli-skiing season.

Furthermore, as noted by DNR, the adjudication of each permit request for use of state lands carefully considers the applicable regulations, policies, and management intent of the area plan. Each request is reviewed individually, and issuance does not establish a precedent that will apply to future permit applications. Additionally, the requested activity is allowable per the PWSAP and TPSUA, and is aligned with the mission of the Division and the Department.

Why is there a need in the area for the Conditional Use requested? Wherever possible, substantiate this statement with factual data.

Pulseline has a need for a limited-use staging area (day use only) in this location to support and streamline our heli-skiing operations during March and April annually. This is an ideal location to support Pulseline's operations on certain days and during specific circumstances. *Pulseline does not intend to utilize this site daily.* There are only several days per season (approximately 5-10 days out of our eight-week season) when we may use the site to support our operations. Typically, these are days when weather conditions prevent us from accessing other terrain and/or utilized other staging areas. For example, this location is often wind-sheltered during

occasional periods of northerly outflow whereas other areas would be too windy for helicopters to operate. Also, our permitted tenure with Alaska State DNR and the Bureau of Land Management includes areas directly to the south, and east of this site, and at times the snow and/or weather conditions in these proximate areas are the best in our tenure. As discussed in further detail below, when conditions dictate, this site would be highly beneficial for our operations. Additionally, this site would offer an additional emergency response resource for fellow heli-skiing operations and recreational users as we would be able to use this as a staging area for responding to emergencies when possible.

Why is this site especially suited to the Conditional Use proposed?

The site is currently undeveloped and not used by Alyeska Pipeline or the State of Alaska DOT during our annual season of operations (March and April).

There are no residences within 500 feet of the proposed site or the proposed flight paths.

As mentioned, Pulseline will not use this site every day during our season. We expect to use it up to approximately 10 days out of our standard eight-week heli-skiing season during March and April. Our primary base of operations is the Valdez airport. Our other primary permitted staging area is located at Blueberry Lake near Thompson Pass. So, most days we're operating in other areas throughout our permitted tenure in the Chugach National Forest, Bureau of Land Management and State of Alaska DNR lands.

But on a handful of days per season, this site would be beneficial for our operations. Occasionally, the best weather and snow conditions are located to the south and east of this site. During these times, it would benefit our operations to be able to fuel our helicopters from this site, so that we would not need to fly back to the airport or to Blueberry Lake to fuel.

This would streamline our operations on the limited number of days that we would utilize this site by decreasing our flight times and using less fuel. By decreasing our flight times to ferry guests in and out of the field and reducing fuel runs, our guests will potentially be able to get more ski runs, providing them with a better experience and higher value while also reducing costs for our business.

Furthermore, and importantly, Conditional Use at this site would make our operation safer, since the helicopter would be operating closer to a fuel source and to the safety and rescue equipment that we keep with our remote fuel truck. In an emergency situation — when minutes matter — having fuel and safety equipment staged at this site would be crucial. This would also benefit other heliskiing operations and recreational users, since we would be ready and able to help respond if needed more quickly and efficiently from this site.

Thus Conditional Use at this site would be a major benefit for our operations and help us potentially respond more efficiently to any emergencies either related or not related to our operations.

Also note that we have a Alaska State DNR permitted high-power radio repeater located just to the north of the site on Hogback Mountain that greatly augments our radio communications capabilities for general operations and emergency situations; and we have a close relationship with the Valdez Fire Department (we have started an annual emergency response training program with VFD).

Pulseline is able and willing to respond to emergencies in the mountains including recreational users who are not our clients. For example, in late April 2022, Pulseline responded to an avalanche incident near Thompson Pass that involved three people who were out touring on their own (not part of our operation); they triggered and got caught in an avalanche, and were partially buried and injured. Working closely with Alaska State Troopers, our helicopter and guides flew to the incident location and provided medical care on site before extracting the injured victims to the hospital.

Why would the Conditional Use have no detrimental effects on surrounding property and uses?

Proximity to residential neighborhoods and noise pollution

There are no properties located within 500 feet of the proposed heli pad site or proposed flight paths, so public notice is not required. The nearest residence to the site is about 2,000 feet to the northeast across Richardson Highway, and the subdivision is more than a mile west of the site with thick forest in between the site and the residences.

Pulseline helicopters will utilize flight paths that approach and depart the site generally from the south and east where there are no residences in the flight paths.

The heli-skiing terrain that we would access from this site is also located primarily to the south and east of the site — in the opposite direction from residences. Pulseline intends to utilize this site only occasionally during our annual eight-week season generally from early March to late April. On the vast majority of days that we fly, we are flying out of the airport or from our permitted staging area at Blueberry. As noted, it's only during a handful of days during our eight-week season that we will utilize the 12-mile site — when we are skiing select terrain to the south and east.

Concerns on impacting recreational trails and blocking public access

The issuance of Conditional Use permit will not have any adverse impacts on recreational use or block public access at the site given the relatively small area that we require to land and fuel a helicopter and the proximity to Richardson Highway. On our visits to the 12-mile site during the winter, no apparent tracks of any kind were visible at the site that we desire for Conditional Use. It does not appear that this particular site is utilized for heavy recreational use.

Concern of potential fuel spills and risk to local ecosystems

The permit issued to Pulseline Adventure by State of Alaska DNR requires that secondary fuel containment shall be utilized during the use or handling of any fuel or hazardous substances, and that drip pans and materials such as sorbent pads must be on hand to contain and clean up spills from any transfer or handling of fuel. Pulseline carries a full fuel-spill response kit that includes pads, booms, absorbents, shovels, trash cans, and a duck pond containment.

Pulseline operates under a comprehensive Safety and Operations plan that includes fuel spill prevention protocols and fuel spill response protocols. We train annually with our helicopter provider to ensure proper fueling procedures to prevent fuel spills. All Pulseline personnel who operate our fueling equipment and fuel helicopters are trained and capable. We've successfully operated remote helicopter fueling for many years at our Blueberry Lake and other staging areas with no fuel spills in our history of operations.

Impacts to local wildlife that may use the area

We do not believe that our use of the site will have any adverse effect on wildlife; If we observe wildlife at this site we will avoid landing at that time when possible (based on any safety concerns). This is a very small area that is located just a few hundred feet south of Richardson Highway.

Per our permits with the Bureau of Land Management, Forest Service, Alaska State Parks, and State of Alaska DNR, we're committed to avoiding the disturbance of wildlife throughout all of our permitted terrain.

Furthermore, landing a helicopter on state lands is considered a generally allowed use (11 AAC 96.020(a)(1)(F)) provided the use is conducted in a manner that minimizes disturbance of fish and wildlife resources (11 AAC 96.025(3)(C)). Pulseline will maintain an elevation of at least 1,500 feet from observed wildlife when it is safe to do so, which will be included in the permit as an advisory.

Concerns about zoning regulations

As noted by the State of Alaska DNR, The City of Valdez was included on the DNR agency review for this activity and no comments or concerns were received from the city. The DNR permit stipulates that the permittee shall comply with all federal, state, and local laws, regulations, and ordinances directly or indirectly related to this authorization.

Attach or include any other information you feel is relevant to this application

Regarding Valdez Municipal Code 17.80.130 Helipads, Pulseline Adventure in collaboration with its FAA Part 135 licensed helicopter providers (Coastal Helicopters, Alpine Air Alaska, etc.) will conform to the following stipulations:

- A. Helipads must demonstrate conformance with current FAA requirements for heliport and helipad design including touchdown and lift areas, final approach and takeoff areas, safety areas, and design for the weight and size of the helicopter
- B. The helipad must not create noise or winds that negatively impact pedestrians
- C. Parcels with helipads shall not exceed permitted noise limits in Title 8
- D. Helicopter landing hours may be restricted as a condition of a conditional use permit depending on the location of the helipad in relation to other uses
- E. The number of landings may be restricted as a condition of a conditional use permit depending on the location of the helipad in relation to other uses
- F. Additional public notice is required to be provided to properties within five hundred feet of the proposed helipad and requested flight paths (note that the nearest residence is about 2,000 feet from the proposed helipad)

Pulseline would be happy to connect you with representatives from our two primary aircraft providers Coastal Helicopters and Alpine Air Alaska to confirm our compliance with the above stipulations and verification of our excellent operational safety record with these and other aircraft providers in our heliskiing operations.

Compliance with VMC 17.80.130(A)

Pulseline operates with AS350 B2/B3 (Class A - small) helicopters that require a minimum 40' x 40' helipad with a clear area of 30' x 30' - the proposed site area exceeds the minimum helipad and clear area requirements for this aircraft.

Pulseline Adventure ground personnel prepare appropriate touchdown areas on the snowpack for AS350 B2/B3 aircraft that are level, smooth, and compacted to safely support the weight of the aircraft. Additionally, the helipad and surrounding areas are free of debris, obstacles and obstructions. Helipads are marked with visual references for pilots with alder wands tied with biodegradable ribbon.

The lift area exceeds the minimum of 100' x 100' required for Class A aircraft and exceeds the minimum width of 100' for the approach and departure paths.

Operations will only be conducted during the day under Visual Flight Rules (VFR) conditions).

Pulseline provides all required safety equipment including fire extinguishers and a comprehensive fuel-spill response kit located on our fuel truck and/or fuel trailer.

Please note that Pulseline Adventure's guide team has many decades of combined experience in helicopter operations including building remote Landing Zones and Pickup Zones on snow in the Chugach Mountains. Our guides and ground crew personnel undergo annual training alongside pilots on all aspects of helicopter operations.

We are focused on safety and are proud of our impeccable safety record. Pulseline operates with reputable FAA 14 CFR Part 135 certified operators including Alaska-based Alpine Air Alaska, Coastal Helicopters, and Vertical Solutions.

Note that Pulseline Adventure guides and staff have operated remotely at Blueberry State Recreation Site under permits through the State of Alaska DNR Division of Parks and Recreation safely and effectively for approximately 20 years. This includes preparing proper helipads for safe operations with AS350 B2/B3 aircraft with an excellent safety record (no accidents) and no fuel spills.

Furthermore, Pulseline Adventure has permits in good standing with the Bureau of Land Management, US Forest Service (Chugach National Forest), and the State of Alaska DNR Division of Mining, Land, and Water.

This includes Permit LAS34927 issued for the purpose of authorizing the following at the 12-mile gravel pit access road site:

The temporary establishment of a 0.3-acre staging area for helicopter landing and re-fueling, and for loading/unloading passengers on an occasional basis in support of a commercial heli-skiing operation for day-use purposes between the months of March and April or as winter conditions allow. The permit authorizes the site for day-use purposes and no equipment may remain overnight. The permit includes the plowing and snow removal of site. Vehicles include: (1) Work Truck, (1) Fuel Trailer carrying 950 gallons of jet fuel (20,000 lbs), (1-3) Passenger Vans, (1) Front-End Loader (22,000 lbs)
Aircraft: A-Star AS350 B3e Helicopter

Contact Information for LAS34927:

John Forbes
Natural Resource Specialist
Department of Natural Resources
Division of Mining, Land & Water
Southcentral Region - Permitting Unit
[REDACTED]

Compliance with VMC 17.80.130(A)

Approval Criteria

1. Criterion 1: Site Suitability. The subject site shall be suitable to support the proposed conditional use and its associated structure(s) and site improvements. The planning and zoning commission shall consider topography, slope and soil stability, geophysical hazards, surface and subsurface drainage, and water quality conditions on and around the subject site and the probable effects of the proposed conditional use upon these factors.

Pulseline Response: we believe the subject site is suitable to support the proposed conditional use (seasonal limited support of heli-skiing operations as described above). There will be no structures or site improvements. Our conditional use will have no adverse environmental effects.

2. Criterion 2: Utility, Sanitation, and Public Service Needs. The conditional use and the associated site improvements shall be adequately served by utilities, emergency responders, and a sanitation facility to ensure long-term safety for its occupants and surrounding populations. The planning and zoning commission shall consider whether adequate sewer/sanitation, storm drainage, potable water, fire protection, public safety, access, and electrical power exists to serve the proposed use and associated structures/site improvements.

Pulseline Response: our conditional use of this site requires no structures or site improvements including utilities, sewer/sanitation, or potable water. As noted above, we desire to utilize this site as a day-use helicopter staging area during March and April annually on approximately 5-10 days out of eight weeks per season.

3. Criterion 3: Zoning District Standards. With the exception of planned unit developments (PUDs), the proposed conditional use and its associated site improvement(s) shall comply with the dimensional standards of the zone it which it is. Notwithstanding, those zoning standards may be adjusted pursuant to a separate variance and/or administrative adjustment application.

Pulseline Response: we do not believe that this criterion is relevant to our proposed conditional use of this site.

4. Criterion 4: Specific Use Standards. The proposed conditional use and its associated site improvement(s) shall comply with the applicable specific use standards pursuant to Chapter 17.80.

Pulseline Response: the proposed conditional use will comply with the applicable specific use standards pursuant to Chapter 17.80. Specifically please note that no properties are located within 500 feet of the proposed heli pad site.

5. Criterion 5: Comprehensive Plan Consistency. The proposed conditional use and its associated site improvement(s) shall be consistent with the comprehensive plan's goals, policies, and maps in terms of land uses, development character, and scale.

Pulseline Response: we believe that our proposed conditional use adheres to Valdez Municipal Code 17.12.090. Please note that our conditional use does not require any site improvements.

The Valdez Municipal Code is current through Ordinance 24-09, passed April 16, 2024.

Valdez Municipal Code 17.12.090 Conditional use permits. Page 1 of 6

6. Criterion 6: Nuisance Mitigation. The proposed conditional use and its associated site improvement(s) shall provide mitigation measures to address potential nuisances relating to excessive noise, lighting, vibration, traffic, debris and litter, and outdoor material storage.

Pulseline Response: as outlined above, we believe that our proposed use will not have detrimental effects (State of Alaska DNR issued Pulseline a permit for this site after a thorough review that included public feedback). Due to its location, there will not be excessive noise, lightning, vibration, or traffic; there will be no debris or litter or material storage (we will utilize a fuel trailer daily that will not remain overnight).

7. Criterion 7: Access and Circulation. The proposed conditional use and its associated site improvement(s) shall provide adequate site access for motor vehicles, pedestrians, and cyclists. Applications shall not be approved where the proposed use would create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists.

Pulseline Response: this criterion is not relevant for our conditional use which will not create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists.

Plan Set: Our conditional use of this site requires no new buildings or site improvements.

Site Plan: site access is to the south from Richardson Highway on the gravel pit access road; Pulseline will plow just enough road to provide safe access for the fuel truck and fuel trailer, modeling how we prepare our staging area at our permitted Blueberry Lake State Recreation site at 23.5 Mile off Richardson Highway; Pulseline will likely not need to plow additional area for the helicopter Landing Zone - the LZ will be built appropriately on top of the snowpack similarly to how Pulseline prepares LZs during heliskiing operations in the mountains.

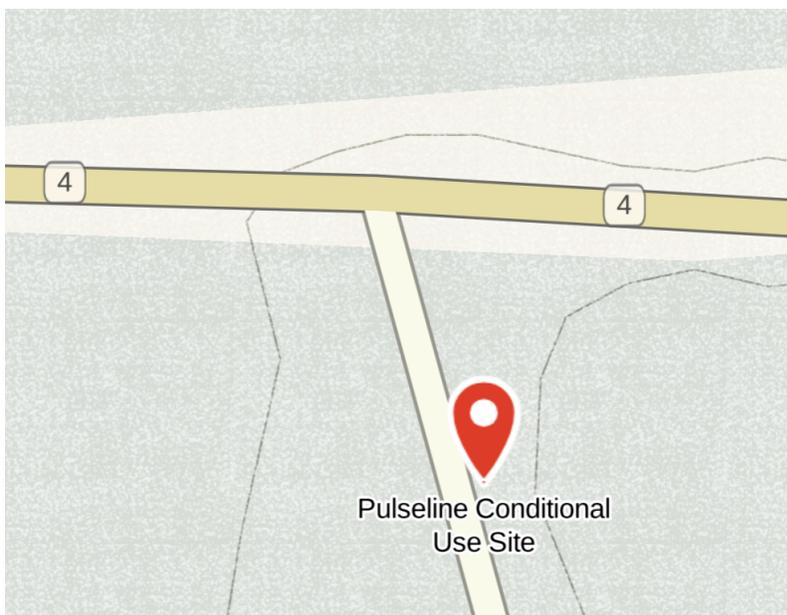


Photo of the site location in the winter:



The site area/gravel pit access road above (unplowed) as seen from Richardson Highway, looking south. The exact site area depends on seasonal snow depths. Pulseline would likely utilize Bill Connell/Clear Vision Maintenance to plow the access road from the highway to create adequate access for the Pulseline fuel truck and trailer and potentially a Pulseline van on an occasional basis for guest transport.

Additional Information

Pulseline Adventure is dedicated to fostering good relationships with the community. We provide employment opportunities for locals in Valdez and contribute significantly to the local economy by contracting locals for our food programs (Maggie Nylund, Chef Matt Kress, and Paul Langley, owner of Growler Bay Brewing Company), lodging our guests at local hotels (Totem Hotel and Best Western) and Airbnbs, and purchasing significant amounts of fuel at Crowley and local gas stations for our helicopters and ground vehicles.

Pulseline Adventure also greatly contributes to promoting Valdez on a global scale through numerous major film production projects that positively feature the area's vast recreational opportunities. This includes our partnerships with Natural Selection Tour, Teton Gravity Research, The North Face, Burton, and other top film production companies and athletes.

During March 2026, Natural Selection Tour will return to Valdez with Pulseline, generating substantial revenue for the local economy and positive global marketing for the Valdez recreation and tourism industry.

Pulseline is committed to developing a symbiotic relationship with the community, as we believe that our success can directly contribute to its prosperity. Our ability to utilize the 12-mile site empowers us to enhance our services, ultimately yielding a net positive effect on the community.

Our team comprises highly skilled mountain guides, each equipped with extensive medical training, positioning us as a local medical and rescue asset for the public. We are proud to be a heliskiing operator with an established working relationship with local emergency response services; our 2025 season saw us collaborate with the Valdez Fire Department in a rescue scenario, with annual training sessions planned to ensure our readiness. It is worth noting that conditional use of this site would further bolster our ability to provide potential emergency response to the public, including helicopter staging and fuel support, thereby fortifying our commitment to the Valdez community's safety and well-being.

We appreciate your time and consideration.



**LAND USE PERMIT
AS 38.05.850**

PERMIT # LAS 34927

PULSELINE ADVENTURE, LLC herein known as the Grantee, is issued this permit from the Department of Natural Resources, herein known as the Grantor, authorizing the use of state land within:

Legal Description:

SW1/4NW1/4 Section 28, Township 9 South, Range 4 West, Copper River Meridian
Mile 12 – Richardson Highway

This permit is issued for the purpose of authorizing the following:

The temporary establishment of a 0.3-acre staging area for helicopter landing and refueling, and for loading/unloading passengers on an occasional basis in support of a commercial heli-skiing operation for day-use purposes between the months of March and April or as winter conditions allow. The permit authorizes the site for day-use purposes and no equipment may remain overnight. The permit includes the plowing and snow removal of site. Vehicles include: (1) Work Truck, (1) Fuel Trailer carrying 950 gallons of jet fuel (20,000 lbs), (1-3) Passenger Vans, (1) Front-End Loader (22,000 lbs)
Aircraft: A-Star AS350 B3e Helicopter

This permit is for the term beginning **February 1, 2025** and ending **January 31, 2030** unless sooner terminated at the state's discretion, effective the date of signature by the Authorized State Representative. This permit does not convey an interest in state land and as such is revocable, with or without cause. The Grantor will give 30 days' notice before revoking a permit at will. A revocation for cause is effective immediately. No preference right for use or conveyance of the land is granted or implied by this authorization.

This permit is issued subject to the following:

- Payment of the annual use fee in the amount of \$600.00 due on or before the annual anniversary date and any additional fees identified in the stipulations below.
- Remittance of a performance guaranty in the amount of \$2,500.00 as required in the stipulations below.
- Proof of insurance as described in stipulations below.

The non-receipt of a courtesy billing notice does not relieve the Grantee from the responsibility of paying fees on or before the due date.

All activities shall be conducted in accordance with the following stipulations:

1. **Authorized Officer:** The Authorized Officer (AO) for the State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), is the Regional Manager or designee.
2. **Change of Contact Information:** The Grantee shall maintain current contact information with the AO. Any change of contact information must be submitted in writing to the AO.
3. **Valid Existing Rights:** This authorization is subject to all valid existing rights and reservations in and to the authorized area. The State makes no representations or warranties, whatsoever, either expressed or implied, as to the existence, number, or nature of such valid existing rights.
4. **Preference Right:** No preference right for subsequent authorizations is granted or implied by this authorization.
5. **Inspections:** The AO shall have reasonable access to the authorized area for inspection, which may be conducted without prior notice. If the Grantee is found to be in noncompliance the authorized area may be subject to reinspection. The Grantee may be charged for actual expenses of any inspection.
6. **Public Access:** The construction, operation, use, and maintenance of the authorized area shall not interfere with public use of roads, trails, waters, landing areas, and public access easements. The ability to use or access state land or public waters may not be restricted in any manner. However, if a specific activity poses a safety concern, the AO may allow the restriction of public access for a specific period of time. The Grantee is required to contact the AO in advance for approval. No restriction is allowed unless specifically authorized in writing by the AO.
7. **Public Trust Doctrine:** This authorization is subject to the principles of the Public Trust Doctrine regarding navigable or public waters which guarantees public access to, and the public right to use, navigable and public waters and the land beneath them for navigation, commerce, fishing, and other purposes. The AO reserves the right to grant other interests consistent with the Public Trust Doctrine.
8. **Alaska Historic Preservation Act:** The Alaska Historic Preservation Act, AS 41.35.200, prohibits the appropriation, excavation, removal, injury, or destruction of any state owned historic, prehistoric, archaeological or paleontological site without written approval from the DNR Commissioner. Should any sites be discovered, the Grantee shall cease any activities that may cause damage and immediately contact the AO and the Office of History and Archaeology in the Division of Parks and Recreation.
9. **Compliance with Government Requirements:** The Grantee shall, at its expense, comply with all federal, state, and local laws, regulations, and ordinances directly or indirectly related to this authorization. The Grantee shall ensure compliance by its employees, agents, contractors, subcontractors, licensees, or invitees.
10. **Incurred Expenses:** The Grantor shall in no way be held liable for expenses incurred by the Grantee connected with the activities directly or indirectly related to this authorization.

- 11. Waiver of Forbearance:** Any failure on the part of the AO to enforce the terms of this authorization, or the waiver of any right under this authorization by the Grantee, unless in writing, shall not discharge or invalidate the authorization of such terms. No forbearance or written waiver affects the right of the AO to enforce any terms in the event of any subsequent violations of terms of this authorization.
- 12. Severability Clause:** If any clause or provision of this authorization is, in a final judicial proceeding, determined illegal, invalid, or unenforceable under present or future laws, then the Grantor and the Grantee agree that the remainder of this authorization will not be affected, and in lieu of each clause or provision of this authorization that is illegal, invalid, or unenforceable, there will be added as a part of this authorization a clause or provision as similar in terms to the illegal, invalid, or unenforceable clause or provision as may be possible, legal, valid, and enforceable.
- 13. Posting Placard:** The placard included with this permit shall be placed on-site in a conspicuous location visible from the most common access route or vantage point.
- 14. Permit Extensions/Reissuance:** Any request for permit extension or reissuance should be submitted at least 90 days prior to the end of the authorized term. A written statement requesting a one-year extension confirming there will be no changes to the development/operations plan, including photographs clearly depicting the current condition of the site and any improvements, must be submitted to the AO with any required filing fee. A new Land Use Permit application and any required filing fee is required when requesting reissuance of up to five years or for modifications to the approved development/operations plan on file with DMLW.
- 15. Assignment:** This permit may not be transferred or assigned.
- 16. Reservation of Rights:**
 - a. The AO reserves the right to grant additional authorizations to third parties for compatible uses on or adjacent to the land under this authorization.
 - b. Authorized concurrent users of state land, their agents, employees, contractors, subcontractors, and licensees, shall not interfere with the operation or maintenance activities of each user.
 - c. The AO may require authorized concurrent users of state land to enter into an equitable operation or maintenance agreement.
- 17. Violations:** A violation of this authorization is subject to any action available to the State for enforcement and remedies, including revocation of the permit, civil action for forcible entry and detainer, ejectment, trespass, damages, and associated costs, or arrest and prosecution for criminal trespass in the second degree. The State may seek damages available under a civil action, including restoration damages, compensatory damages, and treble damages under AS 09.45.730 or AS 09.45.735 for violations involving injuring or removing trees or shrubs, gathering geotechnical data, or taking mineral resources.
- 18. Directives:** Directives may be issued for corrective actions that are required to correct a deviation from design criteria, project specifications, stipulations, State statutes or regulations. Work at the area subject to the Directive may continue while implementing the corrective action. Corrective action may include halting or avoiding specific conduct,

implementing alternative measures, repairing any damage to state resources that may have resulted from the conduct, or other action as determined by DNR.

- 19. Stop Work Orders:** Stop Work Orders may be issued if there is a deviation from design criteria, project specifications, stipulations, State statutes or regulations and that deviation is causing or is likely to cause significant damage to state resources. Under a Stop Work Order, work at the area subject to the Stop Work Order may not resume until the deviation is cured and corrective action is taken. Corrective action may include halting or avoiding specific conduct, implementing alternative measures, repairing any damage to state resources that may have resulted from the conduct, or other action as determined by DNR.
- 20. Possession of Permit:** The Grantee must be in possession of this authorization when engaged in the permitted activity. The authorization must be presented or displayed upon request by an authorized officer or law enforcement personnel.
- 21. Notification of Discharge:** The Grantee shall immediately notify the Department of Environmental Conservation (DEC) and AO of any unauthorized discharge of any amount of oil to water, a discharge of any amount of a hazardous substances (other than oil), and any discharge of oil greater than 55 gallons on land. All fires and explosions must also be reported immediately.

If a discharge, including a cumulative discharge, of oil is greater than 10 gallons but less than 55 gallons, or a discharge of oil greater than 55 gallons is made to an impermeable secondary containment area, the Grantee shall report the discharge within 48 hours. Any discharge of oil greater than one gallon up to 10 gallons, including a cumulative discharge, solely to land, must be reported in writing on a monthly basis.

Notification of discharge must be made to DEC online at ReportSpills.alaska.gov or by phone at 1-800-478-9300.

Notification of discharge must be made to the appropriate DNR Office, preferably by e-mail: Anchorage email dnr.scro.spill@alaska.gov, (907) 269-8528; Fairbanks email dnr.nro.spill@alaska.gov, (907) 451-2739; Juneau email dnr.sero.spill@alaska.gov, (907) 465-3513. The Grantee shall supply the AO with all incident reports submitted to DEC.

- 22. Batteries:** Batteries which contain hazardous liquids should be completely sealed valve regulated, spill-proof, leak-proof and mounted in an appropriate container. Batteries lacking the preceding properties must have an appropriate drip pan designed to hold 110% of the total liquids held by the battery/batteries. Batteries, new or used, may not be stored or warehoused. Any battery/batteries that are not in use must be removed and disposed of in accordance with existing federal, state and local laws, regulations and ordinances. All hazardous material containers shall be marked with the Grantee's or contractor's name, dated, and transported in accordance with 49 CRF 172 (EPA Hazardous Material Regulations) and 18 AAC 62.
- 23. Returned Check Penalty:** A returned check penalty of \$50.00 will be charged for any check on which the bank refuses payment. Late payment penalties shall continue to accrue.
- 24. Late Payment Penalty Charges:** The Grantee shall pay a fee for any late payment. The amount is the greater of either \$50.00 or interest accrued daily at the rate of 10.5% per annum and will be assessed on each past-due payment until paid in full.

- 25. Use Fees:** The Grantee shall pay to DMLW an annual use fee of \$600.00. The use fee is due on or before the annual anniversary of the effective date of this permit without the necessity of any billing by DMLW. The annual use fee is subject to adjustments in any relevant fee schedule.
- 26. Request for Information:** The AO, at any time, may require the Grantee to provide any information directly or indirectly related to this authorization, in a manner prescribed by the AO.
- 27. Annual Report:** An annual report shall be submitted within 30 days after the seasonally authorized term of use or the annual anniversary date of the authorization, whichever is applicable. The report shall include:
- a. a series of before, during and after use aerial view or ground-level view photographs confirming compliance with site development and restoration guidelines, and
 - b. a written report disclosing:
 - i. the date the temporary facility was established;
 - ii. the date the temporary facility was dismantled and removed or cached;
 - iii. the approximate number of clients accommodated at the site;
 - iv. the average number of days a client was served;
 - v. the restoration of damaged vegetation or disturbed soil;
 - vi. and, the dates of any hydrocarbon or hazardous substance spills, and the dates such spills were reported to DNR and DEC.
- 28. Completion Report:** A completion report shall be submitted prior to relinquishment, or within 30 days after expiration or termination of the authorization. Failure to submit a satisfactory report subjects the site to a field inspection requirement for which the Grantee may be assessed an inspection fee, as outlined herein. The report shall contain the following information:
- a. a statement of restoration activities and methods of debris disposal;
 - b. a statement that the Grantee has removed all improvements and personal property from the authorized area;
 - c. a report covering any known incidents of damage to the vegetative mat and underlying substrate, and follow-up corrective actions that may have taken place while operating under this authorization;
 - d. and, photographs of the permitted site taken before, during and after the proposed activity to document permit compliance. Photographs must consist of a series of aerial view or ground-level view photographs that clearly depict compliance with site cleanup and restoration guidelines;
- 29. Site Disturbance:** Site disturbance shall be kept to a minimum to protect local habitats. All activities at the site shall be conducted in a manner that will minimize the disturbance of soil and vegetation and changes in the character of natural drainage systems.
- a. Brush clearing is allowed but should be kept to the minimum necessary. Removal or destruction of the vegetative mat is not authorized under this permit.
 - b. Establishment of, or improvements to, landing areas (i.e. leveling the ground or removing or modifying a substantial amount of vegetation) is prohibited.
 - c. Attention must be paid to prevent pollution and siltation of streams, lakes, ponds, wetlands, and disturbances to fish and wildlife habitat.
 - d. Any ground disturbances which may have occurred shall be contoured to blend with the natural topography to protect human and wildlife health and safety.

- 30. Site Restoration:** On or before permit expiration (if a reissuance application has not been submitted) or termination of this authorization by the Grantee, the Grantee shall remove all improvements, personal property, and other chattels, and return the permitted area to a clean and safe condition. In the event the Grantee fails to comply with this requirement, the Grantee shall be held liable for any and all costs incurred by the State to return the permitted area to a clean and safe condition.
- 31. Seasonal Site Restoration:** On or before the expiration of each seasonally authorized term of occupancy and use, the Grantee shall remove all improvements, personal property, and other chattels, and return the permitted area to a clean and safe condition. All holes shall be backfilled with sand, gravel native materials, or a substitute approved by the AO. In the event the Grantee fails to comply with this requirement, the State, at its discretion, may remove and dispose of improvements and restore the site at the expense of the Grantee.
- 32. Indemnification:** The Grantee assumes all responsibility, risk and liability for its activities and those of its employees, agents, contractors, subcontractors, licensees, or invitees, directly or indirectly related to this permit, including environmental and hazardous substance risk and liability, whether accruing during or after the term of this permit. The Grantee shall defend, indemnify, and hold harmless the State, its agents and employees, from and against any and all suits, claims, actions, losses, costs, penalties, and damages of whatever kind or nature, including all attorney's fees and litigation costs, arising out of, in connection with, or incident to any act or omission by the Grantee, its employees, agents, contractors, subcontractors, licensees, or invitees, unless the proximate cause of the injury or damage is the sole negligence or willful misconduct of the State or a person acting on the State's behalf. Within 15 days, the Grantee shall accept any such cause, action or proceeding upon tender by the State. This indemnification shall survive the termination of the permit.
- 33. Insurance:** Pursuant to 11 AAC 96.065 the Grantee shall secure or purchase at its own expense, and maintain in force at all times during the term of this permit, liability coverage and limits consistent with what is professionally recommended as adequate to protect the Grantee (the insured) and Grantor (the State, its officers, agents and employees) from the liability exposures of ALL the insured's operations on state land. Certificates of Insurance must be furnished to the AO prior to the issuance of this permit and must provide for a notice of cancellation, non-renewal, or material change of conditions in accordance with policy provisions. The Grantee must provide for a 60-day prior notice to the State before they cancel, not renew or make material changes to conditions to the policy. Failure to furnish satisfactory evidence of insurance, or lapse of the policy, are material breaches of this permit and shall be grounds, at the option of the State, for termination of the permit. All insurance policies shall comply with, and be issued by, insurers licensed to transact the business of insurance under Alaska Statute, Title 21. The policy shall be written on an "occurrence" form and shall not be written as a "claims-made" form unless specifically reviewed and agreed to by the Division of Risk Management, Department of Administration. The State must be named as an additional named insured on the policy with respect to the operations of the Grantee on or in conjunction with the permitted premises, referred to as LAS 34927.
- 34. Performance Guaranty:** Pursuant to 11 AAC 96.060, the Grantee shall provide a surety bond or other form of security acceptable to the DMLW in the amount of \$2,500.00 payable to the State of Alaska. Such performance guaranty shall remain in effect for the term of this authorization and shall secure performance of the Grantee's obligations hereunder. The amount of the performance guaranty may be adjusted by the AO in the event of approved

amendments to this authorization, changes in the development plan, or any change in the activities or operations conducted on the premises. The guaranty may be utilized by the State to cover actual costs incurred by the State to pay for any necessary corrective actions in the event the Grantee does not comply with the site utilization, restoration requirements and other stipulations contained in this permit agreement. If the Grantee fails to perform the obligations under this permit within a reasonable timeframe, the State may perform the Grantee's obligations at the Grantee's expense. The Grantee agrees to pay within 20 days following demand, all costs and expenses incurred by the State as a result of the failure of the Grantee to comply with the terms and conditions of this permit. Failure to do so may result in the termination of an authorization and/or forfeiture of the performance guaranty. The provisions of this permit shall not prejudice the State's right to obtain a remedy under any law or regulation. If the AO determines that the Grantee has satisfied the terms and conditions of this authorization, the performance guaranty will be subject to release. The performance guaranty may only be released in writing by the AO.

35. Fuel and Hazardous Substances: No fuel or hazardous substances may be stored on state land.

36. Fuel and Hazardous Substances:

- a. The use and/or storage of hazardous substances by the Grantee must be done in accordance with existing federal, state and local laws, regulations and ordinances. Debris (such as soil) contaminated with used motor oil, solvents, or other chemicals may be classified as a hazardous substance and must be removed and disposed of in accordance with existing federal, state and local laws, regulations and ordinances.
- b. Drip pans and materials, such as sorbent pads, must be on hand to contain and clean up spills from any transfer or handling of fuel.
- c. Vehicle refueling shall not occur within the annual floodplain or tidelands. This restriction does not apply to water-borne vessels provided no more than 30 gallons of fuel are transferred at any given time.
- d. During equipment maintenance operations, the site shall be protected from leaking or dripping hazardous substances or fuel. The Grantee shall place drip pans or other surface liners designed to catch and hold fluids under the equipment or develop a maintenance area by using an impermeable liner or other suitable containment mechanism. Secondary containment shall be provided for fuel or hazardous substances. All fuel and hazardous substance containers shall be inspected for defects and marked with the contents and the Grantee's name using paint or a permanent label. Secondary containment shall be provided for fuel or hazardous substances. All fuel and hazardous substance containers shall be marked with the contents and the Grantee's name using paint or a permanent label.

37. Fuel and Hazardous Substance Storage:

- a. The storage of petroleum products below Ordinary High Water (OHW) or Mean High Water Mark (MHWM) is prohibited.
- b. Fuel containers which exceed a total combined capacity of 110 gallons must be stored within an impermeable diked area or portable impermeable containment structure capable of containing 110 percent (115 Percent in the Aleutians West CRSA) capacity of the largest independent container (plus 12 inches of freeboard in the Kenai Peninsula Coastal District and Aleutians West CRSA).

- c. Fuel storage containers, including flow test holding tanks and hazardous substances, with a total combined capacity larger than 55 gallons shall not be placed within 100 feet (500 feet in the Bering Straits CRSA) from the ordinary high water mark of waterbodies.
- d. All fuel storage containers and associated materials must be removed by the permit expiration date.
- e. Secondary containment shall be provided for fuel or hazardous substances.
- f. All fuel and hazardous substance containers shall be marked with the contents and the permittee's name using paint or a permanent label.
- g. The AO may under unique or special circumstances grant exceptions to this stipulation on a case-by-case basis. Requests for exceptions should be made to the AO.
- h. Definitions.
 - i. Containers means any item which is used to hold fuel or hazardous substances. This includes tanks, drums, double-walled tanks, portable testing facilities, fuel tanks on small equipment such as light plants and generators, flow test holding tanks, slop oil tanks, bladders, and bags. Manifolded tanks or any tanks in a series must be considered as single independent containers. Vehicles, including mobile seismic tanks, are not intended to be included under this definition.
 - ii. Hazardous substances are defined under AS 46.03.826(5) as (a) an element or compound which, when it enters the atmosphere, water, or land, presents an imminent and substantial danger to the public health or welfare, including fish, animals, or vegetation; (b) oil; or (c) a substance defined as a hazardous substance under 42 U.S.C. 9601(14).
 - iii. Secondary containment means an impermeable diked area or portable impermeable containment structure capable of containing 110 percent of the volume of the largest independent container. Double-walled tanks do not qualify as secondary containment unless an exception is granted for a particular tank. All piping and manifolds shall be within secondary containment.
 - iv. Surface liner means any safe, non-permeable container (e.g., drips pans, fold-a-tanks, etc.) designed to catch and hold fluids for the purpose of preventing spills. Surface liners should be of adequate size and volume based on worst-case spill risk.

38. Waste Disposal: On-site refuse disposal is prohibited, unless specifically authorized. All waste generated during operation, maintenance, and termination activities under this authorization shall be removed and disposed of at an off-site DEC approved disposal facility. Waste, in this paragraph, means all discarded matter, including but not limited to human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and discarded equipment.

39. Wastewater Disposal: No pit privies are authorized.

40. Solid Waste:

- a. All solid waste and debris, including dog waste, generated from the activities conducted under this authorization shall be removed to a facility approved by DEC on a regular basis such that the premise be maintained to ensure a healthy and safe environment.

- b. Putrescible waste (waste that can decompose and cause obnoxious odor) shall be stored in a manner that prevents the attraction of or access to wildlife or disease vectors; and

- 41. Destruction of Markers:** The Grantee shall protect all survey monuments, witness corners, reference monuments, mining claim posts, bearing trees, and unsurveyed corner posts against damage, destruction, or obliteration. The Grantee shall notify the AO of any damaged, destroyed, or obliterated markers and shall reestablish the markers at the Grantee's expense in accordance with accepted survey practices of the DMLW.
- 42. Site Maintenance:** The authorized area shall be maintained in a neat, clean, and safe condition, free of any solid waste, debris, or litter, except as specifically authorized herein. Nothing may be stored that would be an attractive nuisance to wildlife or create a potentially hazardous situation.
- 43. Maintenance of Improvements:** The Grantor is not responsible for maintenance of authorized improvements or liable for injuries or damages related to those improvements. No action or inaction of the Grantor is to be construed as assumption of responsibility.
- 44. Amendment or Modification:** The Grantee may request an amendment or modification of this authorization; the Grantee's request must be in writing. Any amendment or modification must be approved by the AO in advance and may require additional fees and changes to the terms of this authorization.
- 45. Development Plan:** Development shall be limited to the authorized area and improvements specified in the approved development plan or subsequent modifications approved by the AO. The Grantee is responsible for accurately siting development and operations within the authorized area. Any proposed revisions to the development plan must be approved in writing by the AO before the change in use or development occurs.
- 46. Proper Location:** This authorization is for activities on state lands or interests managed by DMLW. It does not authorize any activities on private, federal, native, and municipal lands, or lands which are owned or solely managed by other offices and agencies of the State. The Grantee is responsible for proper location within the authorized area.
- 47. Improvements:** Any improvements/structures that may be authorized under this permit must be constructed in a manner that will allow for removal from the permitted site within 48 hours of receiving a notice to vacate. The establishment of permanent foundations and structures is prohibited under this permit. Authorized temporary improvements must be sited in a manner which impacts the least amount of ground consistent with the purpose of the facility. Any use of these improvements for purposes other than those explicitly authorized by this permit are prohibited.
- 48. Visual Screening:** The Grantee shall limit the visual impact of their activity. Examples include, but are not limited to, using non-reflective roof cover material, applying dark paint to all metal or light-colored plywood or other surfaces and storing all equipment in an acceptable, well-kept manner. Improvements should be screened from sight whenever possible using vegetation or other natural features.

49. General Operation of Vehicles: Existing roads and trails shall be used wherever possible. A permit from the AO is required for any off-road vehicular travel other than generally allowed use. Vehicles shall be operated without disturbing the vegetative mat and underlying substrate. Crossing waterway courses will be made using an existing low angle approach in order not to disrupt the naturally occurring stream or lake banks. There shall be no bank modification.

50. Winter Cross-Country Travel:

- a. Adequate Coverage
 - i. To prevent damage to the vegetative mat and underlying substrate, winter cross country travel may begin only after 12 inches of snow and 12 inches of ground frost exist.
 - ii. It is the responsibility of the Grantee to measure the snow and ice thickness to ensure that it is adequate for safe crossing.
 - iii. Ice roads and ice pads may be constructed in the work areas if they are thick enough to prevent damage to the vegetative mat and underlying substrate. No other ice roads are authorized under this permit.
- b. Ice and/or Snow Bridges and Ramps
 - i. This permit only authorizes the establishment and use of snow and/or ice bridges. The establishment of any other type of bridge is not authorized under this permit.
 - ii. Ice and/or snow bridges and approach ramps must be of sufficient strength to adequately support the weight of vehicles crossing them.
 - iii. Ice and/or snow bridges and approach ramps constructed at stream, river or slough crossings shall not contain extraneous material (i.e., soil, rock, brush, or vegetation) and shall be removed immediately after use or prior to breakup.
 - iv. Snow ramps, snow bridges or approved cribbing may be used as appropriate to provide access across streams to preclude cutting, erosion or degradation to stream banks.

51. Accidents and Incidents: The Grantee will notify the AO immediately (within 24 hours) of any accidents, injuries, or operational problems associated with the operations authorized under this permit.

52. Fire Prevention, Protection and Liability: The Grantee shall take all reasonable precautions to prevent and suppress forest, structure, brush and grass fires, and shall assume full liability for any damage to state land and structures resulting from the negligent use of fire. The State is not liable for damage to the Grantee's personal property and is not responsible for forest fire protection of the Grantee's activity. To report a wildfire, call 911 or 1-800-237-3633.

ADF&G Advisory: Helicopters shall maintain a minimum distance of 1,500 meters from observed wildlife when it is safe to do so. Under conditions for generally allowed uses, 11AAC 96.025(3)(C), helicopter use must be conducted in a manner that minimizes the disturbance of fish and wildlife resources. Doing otherwise may constitute wildlife harassment under AS 16.05.920(a) and 5 AAC 92.080(5).

The Authorized Officer reserves the right to modify these stipulations or use additional stipulations as deemed necessary. The Grantee will be advised before any such modifications or additions are finalized. DNR has the authority to implement and enforce these conditions under AS 38.05.850.

Any correspondence on this authorization may be directed to the Department of Natural Resources, Division of Mining, Land and Water, Southcentral Regional Land Office, 550 W. 7th Ave., Suite 900C, Anchorage, AK 99501-3577, (907) 269-8503.

I have read and understand all of the foregoing and attached stipulations. By signing this authorization, I agree to conduct the authorized activity in accordance with the terms and conditions of this authorization.

<u>Josh Cooley</u>		Operations Director	2/13/25
Signature of Grantee or Authorized Representative		Title	Date
<u>[Redacted]</u>	<u>[Redacted]</u>	<u>[Redacted]</u>	<u>[Redacted]</u>
Grantee's Address	City	State	Zip
Josh Cooley		<u>[Redacted]</u>	
Contact Person	Home Phone	Work Phone	
		NRM1	2/18/2025
<u>[Signature]</u>		Title	Date
Signature of Authorized State Representative			



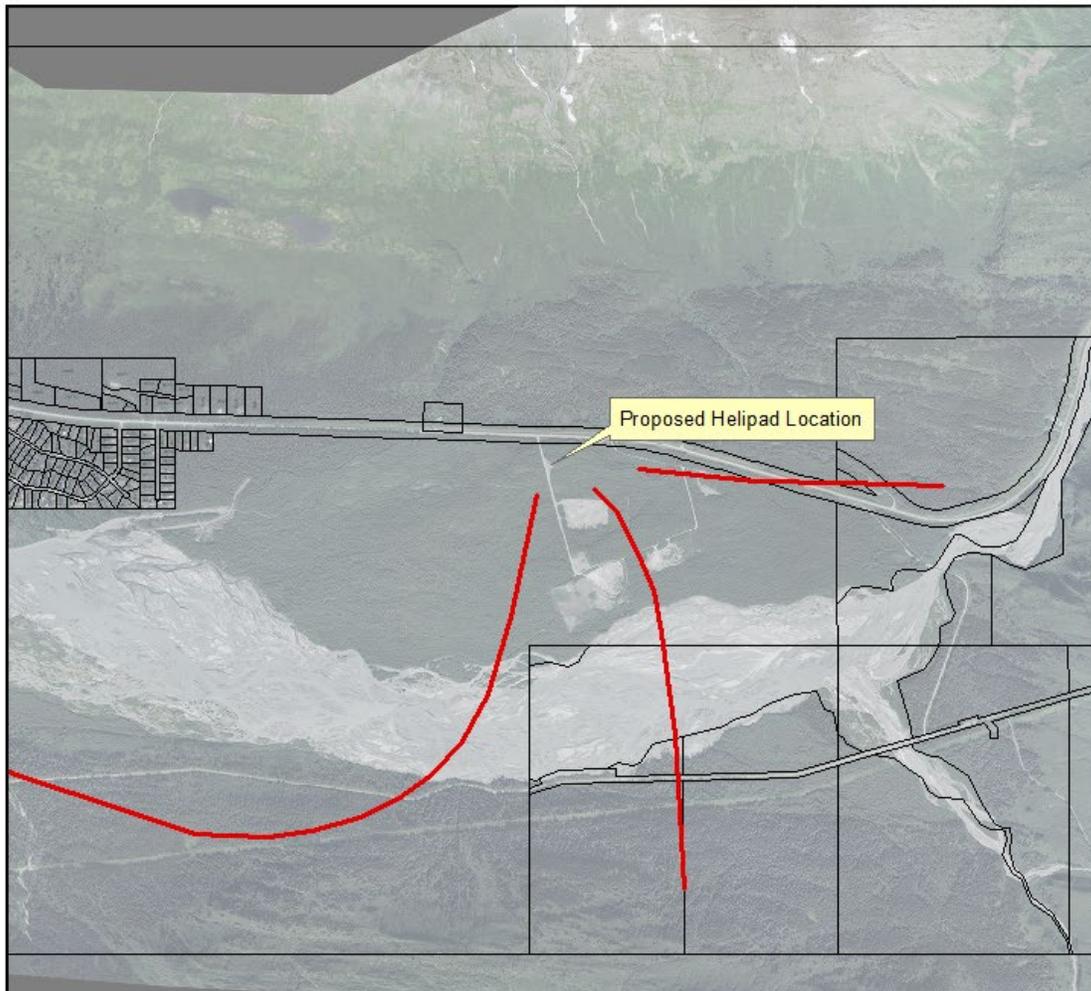
**NOTICE OF PUBLIC HEARING – NEW HEARING DATE
FOR A CONDITIONAL USE PERMIT
FOR A HELIPAD**

The Valdez Planning and Zoning Commission will hold a public hearing on Wednesday, **February 11, 2026**, at 7:00 pm in the City Council Chambers at 212 Chenega Avenue, Valdez, Alaska.

The purpose of the hearing is to take public testimony concerning a conditional use permit application for a Helipad to be located off the gravel pit access road near milepost 11.5 of the Richardson Highway (the Southwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 28, Township 9 South, Range 4 West, Copper River Meridian). The applicant is Pulseline Adventures, and the property owner is the State of Alaska.

The public is encouraged to attend the hearing to provide comments or may submit comments in writing to the Community Development Department. Written comments must be received by 4:00 pm on the day of the meeting to be presented to the Planning & Zoning Commission. Submissions by email may be sent to: communitydevelopment@valdezak.gov.

If you have questions concerning this notice, or who would like more information you can contact the Community Development Department at 907-834-3401.



Proposed Conditional Use Permit for a Helipad



0 1,250 2,500 5,000
Feet

Date: 1/8/2026

Author: Community Development Department

Legend

— Proposed Flight Paths



Legislation Text

File #: 26-0061, **Version:** 1

ITEM TITLE:

Approval of Conditional Use Permit 25-03 - A Request from Pulseline Adventures, LLC for a Conditional Use Permit to Allow a Helipad on a Portion of the Southwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 28, Township 9 South, Range 4 West, Copper River Meridian, and Adopt Findings

SUBMITTED BY: Bruce Wall, Senior Planner

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve the request from Pulseline Adventures, LLC for a helipad on a portion of the Southwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 28, Township 9 South, Range 4 West, Copper River Meridian; and adopt findings

SUMMARY STATEMENT:

Applicant: Pulseline Adventures, LLC

Property Owner: State of Alaska, Department of Natural Resources

Street Address: Near MP 11.5 Richardson Highway

Legal Description: A portion of the Southwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 28, Township 9 South, Range 4 West, Copper River Meridian

Zoning District: Public Lands (P)

Existing Land Use: Vacant Land

Access: Gravel pit access road via Richardson Highway

VMC 17.12.090(C) states, "The Planning and Zoning Commission shall evaluate whether the conditional use permit application complies with the criteria established in this section in determining to approve, approve with conditions, or deny the request."

Please see the attached staff report for details on the code requirements, staff's evaluation of the application, and the proposed conditions.



CITY OF VALDEZ CONDITIONAL USE PERMIT (CUP) APPLICATION

All fields are required. If not applicable, please mark with N/A or dash.

Office Use Only

Application Number	<u>25-03</u>	Date Received	<u>12/29/2025</u>
Initials	<u>BW</u>		

APPLICANT INFORMATION

Name Pulseline Adventure, LLC

Phone [REDACTED]

Email [REDACTED]

Mailing Address [REDACTED]
[REDACTED]

PROPERTY

Address 61.06101° N Longitude: 145.9617° W Datum: NAD83

Legal Description SW1/4NW1/4 Section 28, Township 9 South, Range 4 West, Copper River Meridian

PROPERTY OWNER INFORMATION

Name State of Alaska DNR Division of Mining, Land & Water

Phone [REDACTED]

Email [REDACTED]

Mailing Address 550 W 7th Ave Ste 900
Anchorage, AK 99501

REPRESENTATIVE INFORMATION (if applicable)

Name John Forbes

Phone [REDACTED]

Email [REDACTED]

Mailing Address 550 W 7th Ave Ste 900
Anchorage, AK 99501

ADDITIONAL MATERIALS REQUIRED *(the following must be submitted when applying for a CUP)*

Narrative – Provide a narrative that describes the location, proposed use(s), proposed site improvements, zoning district, existing and proposed building sizes, proposed density (as applicable), parking and access, and environmental conditions on and adjacent to the subject site.

List the conditional use review criteria and provide a response describing how the proposal complies with those criteria. (VMC 17.12.090(C))

List all the specific use standards (VMC 17.80) that are applicable to the proposal and provide a response describing how the proposal complies with those standards.

Plan Set – May be required when the proposed use includes new buildings or site improvements. At the discretion of the community development director, the plan set may include property survey, site plan, subdivision plat, grading and drainage plan, utilities plan and building elevations.

Technical Studies – May be required, at the discretion of the community development director, to demonstrate compliance with the review criteria. These may include, but are not limited to, traffic studies, drainage studies, noise and vibration studies, and/or visual impact studies.

Snow Storage Plan (VMC 17.88.030)

APPLICANT SIGNATURE Josh Cooley DATE 11/26/25

(Your signature above certifies that you all information included on this form is accurate.)

ADDITIONAL INFORMATION

Forms may be emailed to communitydevelopment@valdezak.gov or dropped off at the Planning Window in City Hall. For a fillable PDF form, visit valdezak.gov/275/City-Forms

To submit via mail, send to the following address:

**Community Development Department
City of Valdez
PO Box 307
Valdez, AK 99686**

QUESTIONS?

Call the City of Valdez Community Development Department at **907-834-3401** or email communitydevelopment@valdezak.gov.

City of Valdez
Application for Conditional Use Permit

Name of Applicant: Pulseline Adventure

Address of Applicant:

[REDACTED]

Contact Phone Number: [REDACTED]

Legal Owners:

Gabe Monroe
Geoff Perusse

[REDACTED]

Geographic Location:

Located approx. 350 feet south of the Richardson Highway at milepost 11.5 off the gravel pit access road leading into Material Site #71-1-040-5, approx. 14 miles southeast of Valdez.

There are no residences within 500 feet of the proposed site or proposed flight paths.

Latitude:

61.06101° N Longitude: 145.9617° W Datum: NAD83

Legal Description:

SW1/4NW1/4 Section 28, Township 9 South, Range 4 West, Copper River Meridian

Other Land Information:

- Municipality: City of Valdez
- Regional Corporation: Chugach Alaska Corp.
- Special Use Areas: Thompson Pass Special Use Area

Planning & Classification:

1988 Prince William Sound Area Plan, Management Unit 21: City of Valdez, Subunit 211: Robe

Lake. Primary Surface Uses: Forestry, Habitat & Harvest, Public Recreation. Prohibited Surface Use: Land Offerings Land Classifications: Forest Land, Wildlife Habitat Land, Public Recreation Land.

Unit 21 states that "uses such as material sales, land leases, or permits that are not specifically prohibited, may be allowed. Such uses will be allowed if consistent with the management intent statement, management guidelines of this unit, and relevant management guidelines in Chapter 2"

(Pg 3-172).

The Recreation, Tourism, Cultural and Scenic Resources section of Chapter 2 of the area plan states that "private recreation facilities may be authorized if the facility meets the management intent and guidelines outlined in Chapter 3, it fulfills the conditions outlined in this guideline and it is in the public interest as determined through a written finding by the land manager or a management plan prepared in accordance with AS 41.21.302(c)" (2-27).

The site also falls within the 1994 Thompson Pass Special Use Area (TPSUA) serialized as ADL 226446, which is designated as special use lands for recreational purposes. The plan states that the special use area will not affect public access, nor will it preclude any future land management action deemed to be in the public interest.

After review, the proposed use of state lands for creating a temporary staging area for day-use purposes on a short-term and as-needed basis is consistent with the applicable guidelines and management intent of the PWSAP and TPSUA.

Third Party Interests:

The proposed site is located off an access road that leads into the state-owned Material Site MS 71-0-004-2 (ADL 419633) with material site authorizations issued to the State Pipeline Coordinator's Section (SPCO) (ADL 230853) and the Department of Transportation (DOT&PF) (ADL 201005). A land use permit for material storage (LAS 33573) has also been issued to Alyeska Pipeline Service Company (APSC) by SPCO.

How will the proposed use conform to the present and future development of the area? What will be its effect on present and future development?

The State of Alaska Department of Natural Resources issued Pulseline Adventure a 5-year Commercial Recreation Permit (LAS 34927) under AS 38.05.850, permitting a staging area for helicopter landing and re-fueling, and for loading/unloading passengers on an occasional basis, in support of a commercial heli-skiing operation at the 12-mile State Gravel Pit access site.

The issuance of the permit followed a 14-day agency review period that began on March 22, 2024 and concluded on April 5th, 2024. The review was sent to the DNR Office of History & Archaeology, DNR Land Sales and Development, DNR Realty Services, DNR State Parks

Permitting, DNR Division of Oil & Gas, DNR Statewide Abatement of Impaired Lands section, Department of Environmental Conservation, Alaska Department of Fish & Game (ADF&G), DOT&PF, US Army Corps of Engineers, US Fish & Wildlife Service, US Environmental Protection Agency, DNR-DMLW Realty Services Section, ***the City of Valdez (note: no comments or concerns were received)***, DNR-DMLW Resources Access & Development Section, and SPCO. The Federal Aviation Administration (FAA) reviewed the request post-agency review.

Additionally, the 14-day public notice period began on March 22, 2024 and concluded on April 5th, 2024. The public notice was sent to Chugach Alaska Corp., Alyeska Pipeline Service Company (Alyeska), property owners within the nearby Alpine Woods subdivision, the two closest post offices, and was posted to the State of Alaska online public notice webpage. Several public comments were received, in which their substantive issues are summarized and discussed below. These included concerns about proximity to residential neighborhoods, potential noise pollution, potential impacts on recreation in the area, potential environmental and wildlife impacts, and whether alternative locations were considered.

Finally, there was no appeal to the decision by DNR to issue the permit.

Currently there is no planned development of the area that we are aware of or have observed, and the proposed use as a short-term, seasonal landing zone/staging area to support our heli-skiing operations should not have any effect on present and/or future development; the site area is only about one-third of an acre, in close proximity to Richardson Highway, and our operations at the site would be completely mobile with no permanent structures or equipment. We don't foresee any future development, since the specific site is only utilized by Alyeska Pipeline and Alaska State DOT primarily during non winter months after the conclusion of the heli-skiing season.

Furthermore, as noted by DNR, the adjudication of each permit request for use of state lands carefully considers the applicable regulations, policies, and management intent of the area plan. Each request is reviewed individually, and issuance does not establish a precedent that will apply to future permit applications. Additionally, the requested activity is allowable per the PWSAP and TPSUA, and is aligned with the mission of the Division and the Department.

Why is there a need in the area for the Conditional Use requested? Wherever possible, substantiate this statement with factual data.

Pulseline has a need for a limited-use staging area (day use only) in this location to support and streamline our heli-skiing operations during March and April annually. This is an ideal location to support Pulseline's operations on certain days and during specific circumstances. *Pulseline does not intend to utilize this site daily.* There are only several days per season (approximately 5-10 days out of our eight-week season) when we may use the site to support our operations. Typically, these are days when weather conditions prevent us from accessing other terrain and/or utilized other staging areas. For example, this location is often wind-sheltered during

occasional periods of northerly outflow whereas other areas would be too windy for helicopters to operate. Also, our permitted tenure with Alaska State DNR and the Bureau of Land Management includes areas directly to the south, and east of this site, and at times the snow and/or weather conditions in these proximate areas are the best in our tenure. As discussed in further detail below, when conditions dictate, this site would be highly beneficial for our operations. Additionally, this site would offer an additional emergency response resource for fellow heli-skiing operations and recreational users as we would be able to use this as a staging area for responding to emergencies when possible.

Why is this site especially suited to the Conditional Use proposed?

The site is currently undeveloped and not used by Alyeska Pipeline or the State of Alaska DOT during our annual season of operations (March and April).

There are no residences within 500 feet of the proposed site or the proposed flight paths.

As mentioned, Pulseline will not use this site every day during our season. We expect to use it up to approximately 10 days out of our standard eight-week heli-skiing season during March and April. Our primary base of operations is the Valdez airport. Our other primary permitted staging area is located at Blueberry Lake near Thompson Pass. So, most days we're operating in other areas throughout our permitted tenure in the Chugach National Forest, Bureau of Land Management and State of Alaska DNR lands.

But on a handful of days per season, this site would be beneficial for our operations. Occasionally, the best weather and snow conditions are located to the south and east of this site. During these times, it would benefit our operations to be able to fuel our helicopters from this site, so that we would not need to fly back to the airport or to Blueberry Lake to fuel.

This would streamline our operations on the limited number of days that we would utilize this site by decreasing our flight times and using less fuel. By decreasing our flight times to ferry guests in and out of the field and reducing fuel runs, our guests will potentially be able to get more ski runs, providing them with a better experience and higher value while also reducing costs for our business.

Furthermore, and importantly, Conditional Use at this site would make our operation safer, since the helicopter would be operating closer to a fuel source and to the safety and rescue equipment that we keep with our remote fuel truck. In an emergency situation — when minutes matter — having fuel and safety equipment staged at this site would be crucial. This would also benefit other heliskiing operations and recreational users, since we would be ready and able to help respond if needed more quickly and efficiently from this site.

Thus Conditional Use at this site would be a major benefit for our operations and help us potentially respond more efficiently to any emergencies either related or not related to our operations.

Also note that we have a Alaska State DNR permitted high-power radio repeater located just to the north of the site on Hogback Mountain that greatly augments our radio communications capabilities for general operations and emergency situations; and we have a close relationship with the Valdez Fire Department (we have started an annual emergency response training program with VFD).

Pulseline is able and willing to respond to emergencies in the mountains including recreational users who are not our clients. For example, in late April 2022, Pulseline responded to an avalanche incident near Thompson Pass that involved three people who were out touring on their own (not part of our operation); they triggered and got caught in an avalanche, and were partially buried and injured. Working closely with Alaska State Troopers, our helicopter and guides flew to the incident location and provided medical care on site before extracting the injured victims to the hospital.

Why would the Conditional Use have no detrimental effects on surrounding property and uses?

Proximity to residential neighborhoods and noise pollution

There are no properties located within 500 feet of the proposed heli pad site or proposed flight paths, so public notice is not required. The nearest residence to the site is about 2,000 feet to the northeast across Richardson Highway, and the subdivision is more than a mile west of the site with thick forest in between the site and the residences.

Pulseline helicopters will utilize flight paths that approach and depart the site generally from the south and east where there are no residences in the flight paths.

The heli-skiing terrain that we would access from this site is also located primarily to the south and east of the site — in the opposite direction from residences. Pulseline intends to utilize this site only occasionally during our annual eight-week season generally from early March to late April. On the vast majority of days that we fly, we are flying out of the airport or from our permitted staging area at Blueberry. As noted, it's only during a handful of days during our eight-week season that we will utilize the 12-mile site — when we are skiing select terrain to the south and east.

Concerns on impacting recreational trails and blocking public access

The issuance of Conditional Use permit will not have any adverse impacts on recreational use or block public access at the site given the relatively small area that we require to land and fuel a helicopter and the proximity to Richardson Highway. On our visits to the 12-mile site during the winter, no apparent tracks of any kind were visible at the site that we desire for Conditional Use. It does not appear that this particular site is utilized for heavy recreational use.

Concern of potential fuel spills and risk to local ecosystems

The permit issued to Pulseline Adventure by State of Alaska DNR requires that secondary fuel containment shall be utilized during the use or handling of any fuel or hazardous substances, and that drip pans and materials such as sorbent pads must be on hand to contain and clean up spills from any transfer or handling of fuel. Pulseline carries a full fuel-spill response kit that includes pads, booms, absorbents, shovels, trash cans, and a duck pond containment.

Pulseline operates under a comprehensive Safety and Operations plan that includes fuel spill prevention protocols and fuel spill response protocols. We train annually with our helicopter provider to ensure proper fueling procedures to prevent fuel spills. All Pulseline personnel who operate our fueling equipment and fuel helicopters are trained and capable. We've successfully operated remote helicopter fueling for many years at our Blueberry Lake and other staging areas with no fuel spills in our history of operations.

Impacts to local wildlife that may use the area

We do not believe that our use of the site will have any adverse effect on wildlife; If we observe wildlife at this site we will avoid landing at that time when possible (based on any safety concerns). This is a very small area that is located just a few hundred feet south of Richardson Highway.

Per our permits with the Bureau of Land Management, Forest Service, Alaska State Parks, and State of Alaska DNR, we're committed to avoiding the disturbance of wildlife throughout all of our permitted terrain.

Furthermore, landing a helicopter on state lands is considered a generally allowed use (11 AAC 96.020(a)(1)(F)) provided the use is conducted in a manner that minimizes disturbance of fish and wildlife resources (11 AAC 96.025(3)(C)). Pulseline will maintain an elevation of at least 1,500 feet from observed wildlife when it is safe to do so, which will be included in the permit as an advisory.

Concerns about zoning regulations

As noted by the State of Alaska DNR, The City of Valdez was included on the DNR agency review for this activity and no comments or concerns were received from the city. The DNR permit stipulates that the permittee shall comply with all federal, state, and local laws, regulations, and ordinances directly or indirectly related to this authorization.

Attach or include any other information you feel is relevant to this application

Regarding Valdez Municipal Code 17.80.130 Helipads, Pulseline Adventure in collaboration with its FAA Part 135 licensed helicopter providers (Coastal Helicopters, Alpine Air Alaska, etc.) will conform to the following stipulations:

- A. Helipads must demonstrate conformance with current FAA requirements for heliport and helipad design including touchdown and lift areas, final approach and takeoff areas, safety areas, and design for the weight and size of the helicopter
- B. The helipad must not create noise or winds that negatively impact pedestrians
- C. Parcels with helipads shall not exceed permitted noise limits in Title 8
- D. Helicopter landing hours may be restricted as a condition of a conditional use permit depending on the location of the helipad in relation to other uses
- E. The number of landings may be restricted as a condition of a conditional use permit depending on the location of the helipad in relation to other uses
- F. Additional public notice is required to be provided to properties within five hundred feet of the proposed helipad and requested flight paths (note that the nearest residence is about 2,000 feet from the proposed helipad)

Pulseline would be happy to connect you with representatives from our two primary aircraft providers Coastal Helicopters and Alpine Air Alaska to confirm our compliance with the above stipulations and verification of our excellent operational safety record with these and other aircraft providers in our heliskiing operations.

Compliance with VMC 17.80.130(A)

Pulseline operates with AS350 B2/B3 (Class A - small) helicopters that require a minimum 40' x 40' helipad with a clear area of 30' x 30' - the proposed site area exceeds the minimum helipad and clear area requirements for this aircraft.

Pulseline Adventure ground personnel prepare appropriate touchdown areas on the snowpack for AS350 B2/B3 aircraft that are level, smooth, and compacted to safely support the weight of the aircraft. Additionally, the helipad and surrounding areas are free of debris, obstacles and obstructions. Helipads are marked with visual references for pilots with alder wands tied with biodegradable ribbon.

The lift area exceeds the minimum of 100' x 100' required for Class A aircraft and exceeds the minimum width of 100' for the approach and departure paths.

Operations will only be conducted during the day under Visual Flight Rules (VFR) conditions).

Pulseline provides all required safety equipment including fire extinguishers and a comprehensive fuel-spill response kit located on our fuel truck and/or fuel trailer.

Please note that Pulseline Adventure's guide team has many decades of combined experience in helicopter operations including building remote Landing Zones and Pickup Zones on snow in the Chugach Mountains. Our guides and ground crew personnel undergo annual training alongside pilots on all aspects of helicopter operations.

We are focused on safety and are proud of our impeccable safety record. Pulseline operates with reputable FAA 14 CFR Part 135 certified operators including Alaska-based Alpine Air Alaska, Coastal Helicopters, and Vertical Solutions.

Note that Pulseline Adventure guides and staff have operated remotely at Blueberry State Recreation Site under permits through the State of Alaska DNR Division of Parks and Recreation safely and effectively for approximately 20 years. This includes preparing proper helipads for safe operations with AS350 B2/B3 aircraft with an excellent safety record (no accidents) and no fuel spills.

Furthermore, Pulseline Adventure has permits in good standing with the Bureau of Land Management, US Forest Service (Chugach National Forest), and the State of Alaska DNR Division of Mining, Land, and Water.

This includes Permit LAS34927 issued for the purpose of authorizing the following at the 12-mile gravel pit access road site:

The temporary establishment of a 0.3-acre staging area for helicopter landing and re-fueling, and for loading/unloading passengers on an occasional basis in support of a commercial heli-skiing operation for day-use purposes between the months of March and April or as winter conditions allow. The permit authorizes the site for day-use purposes and no equipment may remain overnight. The permit includes the plowing and snow removal of site. Vehicles include: (1) Work Truck, (1) Fuel Trailer carrying 950 gallons of jet fuel (20,000 lbs), (1-3) Passenger Vans, (1) Front-End Loader (22,000 lbs)
Aircraft: A-Star AS350 B3e Helicopter

Contact Information for LAS34927:

John Forbes
Natural Resource Specialist
Department of Natural Resources
Division of Mining, Land & Water
Southcentral Region - Permitting Unit
[REDACTED]

Compliance with VMC 17.80.130(A)

Approval Criteria

1. Criterion 1: Site Suitability. The subject site shall be suitable to support the proposed conditional use and its associated structure(s) and site improvements. The planning and zoning commission shall consider topography, slope and soil stability, geophysical hazards, surface and subsurface drainage, and water quality conditions on and around the subject site and the probable effects of the proposed conditional use upon these factors.

Pulseline Response: we believe the subject site is suitable to support the proposed conditional use (seasonal limited support of heli-skiing operations as described above). There will be no structures or site improvements. Our conditional use will have no adverse environmental effects.

2. Criterion 2: Utility, Sanitation, and Public Service Needs. The conditional use and the associated site improvements shall be adequately served by utilities, emergency responders, and a sanitation facility to ensure long-term safety for its occupants and surrounding populations. The planning and zoning commission shall consider whether adequate sewer/sanitation, storm drainage, potable water, fire protection, public safety, access, and electrical power exists to serve the proposed use and associated structures/site improvements.

Pulseline Response: our conditional use of this site requires no structures or site improvements including utilities, sewer/sanitation, or potable water. As noted above, we desire to utilize this site as a day-use helicopter staging area during March and April annually on approximately 5-10 days out of eight weeks per season.

3. Criterion 3: Zoning District Standards. With the exception of planned unit developments (PUDs), the proposed conditional use and its associated site improvement(s) shall comply with the dimensional standards of the zone it which it is. Notwithstanding, those zoning standards may be adjusted pursuant to a separate variance and/or administrative adjustment application.

Pulseline Response: we do not believe that this criterion is relevant to our proposed conditional use of this site.

4. Criterion 4: Specific Use Standards. The proposed conditional use and its associated site improvement(s) shall comply with the applicable specific use standards pursuant to Chapter 17.80.

Pulseline Response: the proposed conditional use will comply with the applicable specific use standards pursuant to Chapter 17.80. Specifically please note that no properties are located within 500 feet of the proposed heli pad site.

5. Criterion 5: Comprehensive Plan Consistency. The proposed conditional use and its associated site improvement(s) shall be consistent with the comprehensive plan's goals, policies, and maps in terms of land uses, development character, and scale.

Pulseline Response: we believe that our proposed conditional use adheres to Valdez Municipal Code 17.12.090. Please note that our conditional use does not require any site improvements.

The Valdez Municipal Code is current through Ordinance 24-09, passed April 16, 2024.

Valdez Municipal Code 17.12.090 Conditional use permits. Page 1 of 6

6. Criterion 6: Nuisance Mitigation. The proposed conditional use and its associated site improvement(s) shall provide mitigation measures to address potential nuisances relating to excessive noise, lighting, vibration, traffic, debris and litter, and outdoor material storage.

Pulseline Response: as outlined above, we believe that our proposed use will not have detrimental effects (State of Alaska DNR issued Pulseline a permit for this site after a thorough review that included public feedback). Due to its location, there will not be excessive noise, lightning, vibration, or traffic; there will be no debris or litter or material storage (we will utilize a fuel trailer daily that will not remain overnight).

7. Criterion 7: Access and Circulation. The proposed conditional use and its associated site improvement(s) shall provide adequate site access for motor vehicles, pedestrians, and cyclists. Applications shall not be approved where the proposed use would create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists.

Pulseline Response: this criterion is not relevant for our conditional use which will not create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists.

Plan Set: Our conditional use of this site requires no new buildings or site improvements.

Site Plan: site access is to the south from Richardson Highway on the gravel pit access road; Pulseline will plow just enough road to provide safe access for the fuel truck and fuel trailer, modeling how we prepare our staging area at our permitted Blueberry Lake State Recreation site at 23.5 Mile off Richardson Highway; Pulseline will likely not need to plow additional area for the helicopter Landing Zone - the LZ will be built appropriately on top of the snowpack similarly to how Pulseline prepares LZs during heliskiing operations in the mountains.

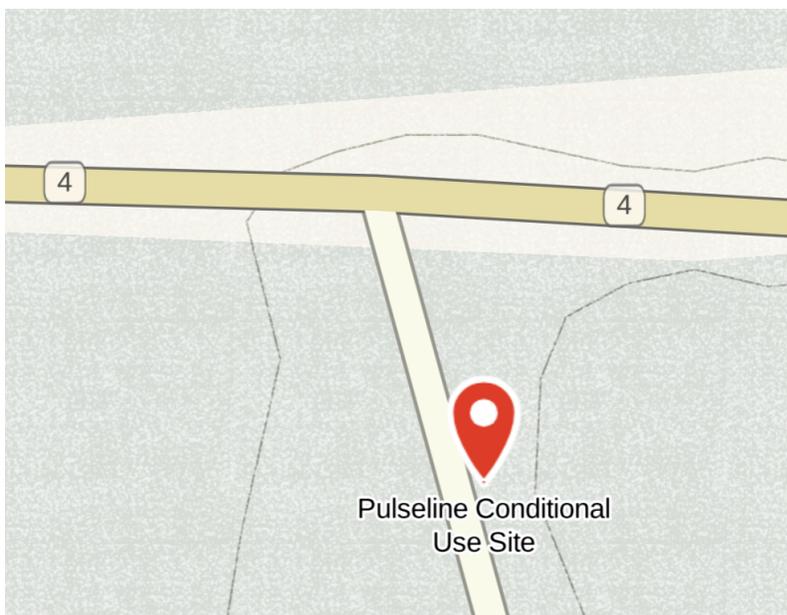


Photo of the site location in the winter:



The site area/gravel pit access road above (unplowed) as seen from Richardson Highway, looking south. The exact site area depends on seasonal snow depths. Pulseline would likely utilize Bill Connell/Clear Vision Maintenance to plow the access road from the highway to create adequate access for the Pulseline fuel truck and trailer and potentially a Pulseline van on an occasional basis for guest transport.

Additional Information

Pulseline Adventure is dedicated to fostering good relationships with the community. We provide employment opportunities for locals in Valdez and contribute significantly to the local economy by contracting locals for our food programs (Maggie Nylund, Chef Matt Kress, and Paul Langley, owner of Growler Bay Brewing Company), lodging our guests at local hotels (Totem Hotel and Best Western) and Airbnbs, and purchasing significant amounts of fuel at Crowley and local gas stations for our helicopters and ground vehicles.

Pulseline Adventure also greatly contributes to promoting Valdez on a global scale through numerous major film production projects that positively feature the area's vast recreational opportunities. This includes our partnerships with Natural Selection Tour, Teton Gravity Research, The North Face, Burton, and other top film production companies and athletes.

During March 2026, Natural Selection Tour will return to Valdez with Pulseline, generating substantial revenue for the local economy and positive global marketing for the Valdez recreation and tourism industry.

Pulseline is committed to developing a symbiotic relationship with the community, as we believe that our success can directly contribute to its prosperity. Our ability to utilize the 12-mile site empowers us to enhance our services, ultimately yielding a net positive effect on the community.

Our team comprises highly skilled mountain guides, each equipped with extensive medical training, positioning us as a local medical and rescue asset for the public. We are proud to be a heliskiing operator with an established working relationship with local emergency response services; our 2025 season saw us collaborate with the Valdez Fire Department in a rescue scenario, with annual training sessions planned to ensure our readiness. It is worth noting that conditional use of this site would further bolster our ability to provide potential emergency response to the public, including helicopter staging and fuel support, thereby fortifying our commitment to the Valdez community's safety and well-being.

We appreciate your time and consideration.



**LAND USE PERMIT
AS 38.05.850**

PERMIT # LAS 34927

PULSELINE ADVENTURE, LLC herein known as the Grantee, is issued this permit from the Department of Natural Resources, herein known as the Grantor, authorizing the use of state land within:

Legal Description:

SW1/4NW1/4 Section 28, Township 9 South, Range 4 West, Copper River Meridian
Mile 12 – Richardson Highway

This permit is issued for the purpose of authorizing the following:

The temporary establishment of a 0.3-acre staging area for helicopter landing and refueling, and for loading/unloading passengers on an occasional basis in support of a commercial heli-skiing operation for day-use purposes between the months of March and April or as winter conditions allow. The permit authorizes the site for day-use purposes and no equipment may remain overnight. The permit includes the plowing and snow removal of site. Vehicles include: (1) Work Truck, (1) Fuel Trailer carrying 950 gallons of jet fuel (20,000 lbs), (1-3) Passenger Vans, (1) Front-End Loader (22,000 lbs)
Aircraft: A-Star AS350 B3e Helicopter

This permit is for the term beginning **February 1, 2025** and ending **January 31, 2030** unless sooner terminated at the state's discretion, effective the date of signature by the Authorized State Representative. This permit does not convey an interest in state land and as such is revocable, with or without cause. The Grantor will give 30 days' notice before revoking a permit at will. A revocation for cause is effective immediately. No preference right for use or conveyance of the land is granted or implied by this authorization.

This permit is issued subject to the following:

- Payment of the annual use fee in the amount of \$600.00 due on or before the annual anniversary date and any additional fees identified in the stipulations below.
- Remittance of a performance guaranty in the amount of \$2,500.00 as required in the stipulations below.
- Proof of insurance as described in stipulations below.

The non-receipt of a courtesy billing notice does not relieve the Grantee from the responsibility of paying fees on or before the due date.

All activities shall be conducted in accordance with the following stipulations:

1. **Authorized Officer:** The Authorized Officer (AO) for the State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), is the Regional Manager or designee.
2. **Change of Contact Information:** The Grantee shall maintain current contact information with the AO. Any change of contact information must be submitted in writing to the AO.
3. **Valid Existing Rights:** This authorization is subject to all valid existing rights and reservations in and to the authorized area. The State makes no representations or warranties, whatsoever, either expressed or implied, as to the existence, number, or nature of such valid existing rights.
4. **Preference Right:** No preference right for subsequent authorizations is granted or implied by this authorization.
5. **Inspections:** The AO shall have reasonable access to the authorized area for inspection, which may be conducted without prior notice. If the Grantee is found to be in noncompliance the authorized area may be subject to reinspection. The Grantee may be charged for actual expenses of any inspection.
6. **Public Access:** The construction, operation, use, and maintenance of the authorized area shall not interfere with public use of roads, trails, waters, landing areas, and public access easements. The ability to use or access state land or public waters may not be restricted in any manner. However, if a specific activity poses a safety concern, the AO may allow the restriction of public access for a specific period of time. The Grantee is required to contact the AO in advance for approval. No restriction is allowed unless specifically authorized in writing by the AO.
7. **Public Trust Doctrine:** This authorization is subject to the principles of the Public Trust Doctrine regarding navigable or public waters which guarantees public access to, and the public right to use, navigable and public waters and the land beneath them for navigation, commerce, fishing, and other purposes. The AO reserves the right to grant other interests consistent with the Public Trust Doctrine.
8. **Alaska Historic Preservation Act:** The Alaska Historic Preservation Act, AS 41.35.200, prohibits the appropriation, excavation, removal, injury, or destruction of any state owned historic, prehistoric, archaeological or paleontological site without written approval from the DNR Commissioner. Should any sites be discovered, the Grantee shall cease any activities that may cause damage and immediately contact the AO and the Office of History and Archaeology in the Division of Parks and Recreation.
9. **Compliance with Government Requirements:** The Grantee shall, at its expense, comply with all federal, state, and local laws, regulations, and ordinances directly or indirectly related to this authorization. The Grantee shall ensure compliance by its employees, agents, contractors, subcontractors, licensees, or invitees.
10. **Incurred Expenses:** The Grantor shall in no way be held liable for expenses incurred by the Grantee connected with the activities directly or indirectly related to this authorization.

- 11. Waiver of Forbearance:** Any failure on the part of the AO to enforce the terms of this authorization, or the waiver of any right under this authorization by the Grantee, unless in writing, shall not discharge or invalidate the authorization of such terms. No forbearance or written waiver affects the right of the AO to enforce any terms in the event of any subsequent violations of terms of this authorization.
- 12. Severability Clause:** If any clause or provision of this authorization is, in a final judicial proceeding, determined illegal, invalid, or unenforceable under present or future laws, then the Grantor and the Grantee agree that the remainder of this authorization will not be affected, and in lieu of each clause or provision of this authorization that is illegal, invalid, or unenforceable, there will be added as a part of this authorization a clause or provision as similar in terms to the illegal, invalid, or unenforceable clause or provision as may be possible, legal, valid, and enforceable.
- 13. Posting Placard:** The placard included with this permit shall be placed on-site in a conspicuous location visible from the most common access route or vantage point.
- 14. Permit Extensions/Reissuance:** Any request for permit extension or reissuance should be submitted at least 90 days prior to the end of the authorized term. A written statement requesting a one-year extension confirming there will be no changes to the development/operations plan, including photographs clearly depicting the current condition of the site and any improvements, must be submitted to the AO with any required filing fee. A new Land Use Permit application and any required filing fee is required when requesting reissuance of up to five years or for modifications to the approved development/operations plan on file with DMLW.
- 15. Assignment:** This permit may not be transferred or assigned.
- 16. Reservation of Rights:**
 - a. The AO reserves the right to grant additional authorizations to third parties for compatible uses on or adjacent to the land under this authorization.
 - b. Authorized concurrent users of state land, their agents, employees, contractors, subcontractors, and licensees, shall not interfere with the operation or maintenance activities of each user.
 - c. The AO may require authorized concurrent users of state land to enter into an equitable operation or maintenance agreement.
- 17. Violations:** A violation of this authorization is subject to any action available to the State for enforcement and remedies, including revocation of the permit, civil action for forcible entry and detainer, ejectment, trespass, damages, and associated costs, or arrest and prosecution for criminal trespass in the second degree. The State may seek damages available under a civil action, including restoration damages, compensatory damages, and treble damages under AS 09.45.730 or AS 09.45.735 for violations involving injuring or removing trees or shrubs, gathering geotechnical data, or taking mineral resources.
- 18. Directives:** Directives may be issued for corrective actions that are required to correct a deviation from design criteria, project specifications, stipulations, State statutes or regulations. Work at the area subject to the Directive may continue while implementing the corrective action. Corrective action may include halting or avoiding specific conduct,

implementing alternative measures, repairing any damage to state resources that may have resulted from the conduct, or other action as determined by DNR.

- 19. Stop Work Orders:** Stop Work Orders may be issued if there is a deviation from design criteria, project specifications, stipulations, State statutes or regulations and that deviation is causing or is likely to cause significant damage to state resources. Under a Stop Work Order, work at the area subject to the Stop Work Order may not resume until the deviation is cured and corrective action is taken. Corrective action may include halting or avoiding specific conduct, implementing alternative measures, repairing any damage to state resources that may have resulted from the conduct, or other action as determined by DNR.
- 20. Possession of Permit:** The Grantee must be in possession of this authorization when engaged in the permitted activity. The authorization must be presented or displayed upon request by an authorized officer or law enforcement personnel.
- 21. Notification of Discharge:** The Grantee shall immediately notify the Department of Environmental Conservation (DEC) and AO of any unauthorized discharge of any amount of oil to water, a discharge of any amount of a hazardous substances (other than oil), and any discharge of oil greater than 55 gallons on land. All fires and explosions must also be reported immediately.

If a discharge, including a cumulative discharge, of oil is greater than 10 gallons but less than 55 gallons, or a discharge of oil greater than 55 gallons is made to an impermeable secondary containment area, the Grantee shall report the discharge within 48 hours. Any discharge of oil greater than one gallon up to 10 gallons, including a cumulative discharge, solely to land, must be reported in writing on a monthly basis.

Notification of discharge must be made to DEC online at ReportSpills.alaska.gov or by phone at 1-800-478-9300.

Notification of discharge must be made to the appropriate DNR Office, preferably by e-mail: Anchorage email dnr.scro.spill@alaska.gov, (907) 269-8528; Fairbanks email dnr.nro.spill@alaska.gov, (907) 451-2739; Juneau email dnr.sero.spill@alaska.gov, (907) 465-3513. The Grantee shall supply the AO with all incident reports submitted to DEC.

- 22. Batteries:** Batteries which contain hazardous liquids should be completely sealed valve regulated, spill-proof, leak-proof and mounted in an appropriate container. Batteries lacking the preceding properties must have an appropriate drip pan designed to hold 110% of the total liquids held by the battery/batteries. Batteries, new or used, may not be stored or warehoused. Any battery/batteries that are not in use must be removed and disposed of in accordance with existing federal, state and local laws, regulations and ordinances. All hazardous material containers shall be marked with the Grantee's or contractor's name, dated, and transported in accordance with 49 CRF 172 (EPA Hazardous Material Regulations) and 18 AAC 62.
- 23. Returned Check Penalty:** A returned check penalty of \$50.00 will be charged for any check on which the bank refuses payment. Late payment penalties shall continue to accrue.
- 24. Late Payment Penalty Charges:** The Grantee shall pay a fee for any late payment. The amount is the greater of either \$50.00 or interest accrued daily at the rate of 10.5% per annum and will be assessed on each past-due payment until paid in full.

- 25. Use Fees:** The Grantee shall pay to DMLW an annual use fee of \$600.00. The use fee is due on or before the annual anniversary of the effective date of this permit without the necessity of any billing by DMLW. The annual use fee is subject to adjustments in any relevant fee schedule.
- 26. Request for Information:** The AO, at any time, may require the Grantee to provide any information directly or indirectly related to this authorization, in a manner prescribed by the AO.
- 27. Annual Report:** An annual report shall be submitted within 30 days after the seasonally authorized term of use or the annual anniversary date of the authorization, whichever is applicable. The report shall include:
- a. a series of before, during and after use aerial view or ground-level view photographs confirming compliance with site development and restoration guidelines, and
 - b. a written report disclosing:
 - i. the date the temporary facility was established;
 - ii. the date the temporary facility was dismantled and removed or cached;
 - iii. the approximate number of clients accommodated at the site;
 - iv. the average number of days a client was served;
 - v. the restoration of damaged vegetation or disturbed soil;
 - vi. and, the dates of any hydrocarbon or hazardous substance spills, and the dates such spills were reported to DNR and DEC.
- 28. Completion Report:** A completion report shall be submitted prior to relinquishment, or within 30 days after expiration or termination of the authorization. Failure to submit a satisfactory report subjects the site to a field inspection requirement for which the Grantee may be assessed an inspection fee, as outlined herein. The report shall contain the following information:
- a. a statement of restoration activities and methods of debris disposal;
 - b. a statement that the Grantee has removed all improvements and personal property from the authorized area;
 - c. a report covering any known incidents of damage to the vegetative mat and underlying substrate, and follow-up corrective actions that may have taken place while operating under this authorization;
 - d. and, photographs of the permitted site taken before, during and after the proposed activity to document permit compliance. Photographs must consist of a series of aerial view or ground-level view photographs that clearly depict compliance with site cleanup and restoration guidelines;
- 29. Site Disturbance:** Site disturbance shall be kept to a minimum to protect local habitats. All activities at the site shall be conducted in a manner that will minimize the disturbance of soil and vegetation and changes in the character of natural drainage systems.
- a. Brush clearing is allowed but should be kept to the minimum necessary. Removal or destruction of the vegetative mat is not authorized under this permit.
 - b. Establishment of, or improvements to, landing areas (i.e. leveling the ground or removing or modifying a substantial amount of vegetation) is prohibited.
 - c. Attention must be paid to prevent pollution and siltation of streams, lakes, ponds, wetlands, and disturbances to fish and wildlife habitat.
 - d. Any ground disturbances which may have occurred shall be contoured to blend with the natural topography to protect human and wildlife health and safety.

- 30. Site Restoration:** On or before permit expiration (if a reissuance application has not been submitted) or termination of this authorization by the Grantee, the Grantee shall remove all improvements, personal property, and other chattels, and return the permitted area to a clean and safe condition. In the event the Grantee fails to comply with this requirement, the Grantee shall be held liable for any and all costs incurred by the State to return the permitted area to a clean and safe condition.
- 31. Seasonal Site Restoration:** On or before the expiration of each seasonally authorized term of occupancy and use, the Grantee shall remove all improvements, personal property, and other chattels, and return the permitted area to a clean and safe condition. All holes shall be backfilled with sand, gravel native materials, or a substitute approved by the AO. In the event the Grantee fails to comply with this requirement, the State, at its discretion, may remove and dispose of improvements and restore the site at the expense of the Grantee.
- 32. Indemnification:** The Grantee assumes all responsibility, risk and liability for its activities and those of its employees, agents, contractors, subcontractors, licensees, or invitees, directly or indirectly related to this permit, including environmental and hazardous substance risk and liability, whether accruing during or after the term of this permit. The Grantee shall defend, indemnify, and hold harmless the State, its agents and employees, from and against any and all suits, claims, actions, losses, costs, penalties, and damages of whatever kind or nature, including all attorney's fees and litigation costs, arising out of, in connection with, or incident to any act or omission by the Grantee, its employees, agents, contractors, subcontractors, licensees, or invitees, unless the proximate cause of the injury or damage is the sole negligence or willful misconduct of the State or a person acting on the State's behalf. Within 15 days, the Grantee shall accept any such cause, action or proceeding upon tender by the State. This indemnification shall survive the termination of the permit.
- 33. Insurance:** Pursuant to 11 AAC 96.065 the Grantee shall secure or purchase at its own expense, and maintain in force at all times during the term of this permit, liability coverage and limits consistent with what is professionally recommended as adequate to protect the Grantee (the insured) and Grantor (the State, its officers, agents and employees) from the liability exposures of ALL the insured's operations on state land. Certificates of Insurance must be furnished to the AO prior to the issuance of this permit and must provide for a notice of cancellation, non-renewal, or material change of conditions in accordance with policy provisions. The Grantee must provide for a 60-day prior notice to the State before they cancel, not renew or make material changes to conditions to the policy. Failure to furnish satisfactory evidence of insurance, or lapse of the policy, are material breaches of this permit and shall be grounds, at the option of the State, for termination of the permit. All insurance policies shall comply with, and be issued by, insurers licensed to transact the business of insurance under Alaska Statute, Title 21. The policy shall be written on an "occurrence" form and shall not be written as a "claims-made" form unless specifically reviewed and agreed to by the Division of Risk Management, Department of Administration. The State must be named as an additional named insured on the policy with respect to the operations of the Grantee on or in conjunction with the permitted premises, referred to as LAS 34927.
- 34. Performance Guaranty:** Pursuant to 11 AAC 96.060, the Grantee shall provide a surety bond or other form of security acceptable to the DMLW in the amount of \$2,500.00 payable to the State of Alaska. Such performance guaranty shall remain in effect for the term of this authorization and shall secure performance of the Grantee's obligations hereunder. The amount of the performance guaranty may be adjusted by the AO in the event of approved

amendments to this authorization, changes in the development plan, or any change in the activities or operations conducted on the premises. The guaranty may be utilized by the State to cover actual costs incurred by the State to pay for any necessary corrective actions in the event the Grantee does not comply with the site utilization, restoration requirements and other stipulations contained in this permit agreement. If the Grantee fails to perform the obligations under this permit within a reasonable timeframe, the State may perform the Grantee's obligations at the Grantee's expense. The Grantee agrees to pay within 20 days following demand, all costs and expenses incurred by the State as a result of the failure of the Grantee to comply with the terms and conditions of this permit. Failure to do so may result in the termination of an authorization and/or forfeiture of the performance guaranty. The provisions of this permit shall not prejudice the State's right to obtain a remedy under any law or regulation. If the AO determines that the Grantee has satisfied the terms and conditions of this authorization, the performance guaranty will be subject to release. The performance guaranty may only be released in writing by the AO.

35. Fuel and Hazardous Substances: No fuel or hazardous substances may be stored on state land.

36. Fuel and Hazardous Substances:

- a. The use and/or storage of hazardous substances by the Grantee must be done in accordance with existing federal, state and local laws, regulations and ordinances. Debris (such as soil) contaminated with used motor oil, solvents, or other chemicals may be classified as a hazardous substance and must be removed and disposed of in accordance with existing federal, state and local laws, regulations and ordinances.
- b. Drip pans and materials, such as sorbent pads, must be on hand to contain and clean up spills from any transfer or handling of fuel.
- c. Vehicle refueling shall not occur within the annual floodplain or tidelands. This restriction does not apply to water-borne vessels provided no more than 30 gallons of fuel are transferred at any given time.
- d. During equipment maintenance operations, the site shall be protected from leaking or dripping hazardous substances or fuel. The Grantee shall place drip pans or other surface liners designed to catch and hold fluids under the equipment or develop a maintenance area by using an impermeable liner or other suitable containment mechanism. Secondary containment shall be provided for fuel or hazardous substances. All fuel and hazardous substance containers shall be inspected for defects and marked with the contents and the Grantee's name using paint or a permanent label. Secondary containment shall be provided for fuel or hazardous substances. All fuel and hazardous substance containers shall be marked with the contents and the Grantee's name using paint or a permanent label.

37. Fuel and Hazardous Substance Storage:

- a. The storage of petroleum products below Ordinary High Water (OHW) or Mean High Water Mark (MHWM) is prohibited.
- b. Fuel containers which exceed a total combined capacity of 110 gallons must be stored within an impermeable diked area or portable impermeable containment structure capable of containing 110 percent (115 Percent in the Aleutians West CRSA) capacity of the largest independent container (plus 12 inches of freeboard in the Kenai Peninsula Coastal District and Aleutians West CRSA).

- c. Fuel storage containers, including flow test holding tanks and hazardous substances, with a total combined capacity larger than 55 gallons shall not be placed within 100 feet (500 feet in the Bering Straits CRSA) from the ordinary high water mark of waterbodies.
- d. All fuel storage containers and associated materials must be removed by the permit expiration date.
- e. Secondary containment shall be provided for fuel or hazardous substances.
- f. All fuel and hazardous substance containers shall be marked with the contents and the permittee's name using paint or a permanent label.
- g. The AO may under unique or special circumstances grant exceptions to this stipulation on a case-by-case basis. Requests for exceptions should be made to the AO.
- h. Definitions.
 - i. Containers means any item which is used to hold fuel or hazardous substances. This includes tanks, drums, double-walled tanks, portable testing facilities, fuel tanks on small equipment such as light plants and generators, flow test holding tanks, slop oil tanks, bladders, and bags. Manifolded tanks or any tanks in a series must be considered as single independent containers. Vehicles, including mobile seismic tanks, are not intended to be included under this definition.
 - ii. Hazardous substances are defined under AS 46.03.826(5) as (a) an element or compound which, when it enters the atmosphere, water, or land, presents an imminent and substantial danger to the public health or welfare, including fish, animals, or vegetation; (b) oil; or (c) a substance defined as a hazardous substance under 42 U.S.C. 9601(14).
 - iii. Secondary containment means an impermeable diked area or portable impermeable containment structure capable of containing 110 percent of the volume of the largest independent container. Double-walled tanks do not qualify as secondary containment unless an exception is granted for a particular tank. All piping and manifolds shall be within secondary containment.
 - iv. Surface liner means any safe, non-permeable container (e.g., drips pans, fold-a-tanks, etc.) designed to catch and hold fluids for the purpose of preventing spills. Surface liners should be of adequate size and volume based on worst-case spill risk.

38. Waste Disposal: On-site refuse disposal is prohibited, unless specifically authorized. All waste generated during operation, maintenance, and termination activities under this authorization shall be removed and disposed of at an off-site DEC approved disposal facility. Waste, in this paragraph, means all discarded matter, including but not limited to human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and discarded equipment.

39. Wastewater Disposal: No pit privies are authorized.

40. Solid Waste:

- a. All solid waste and debris, including dog waste, generated from the activities conducted under this authorization shall be removed to a facility approved by DEC on a regular basis such that the premise be maintained to ensure a healthy and safe environment.

- b. Putrescible waste (waste that can decompose and cause obnoxious odor) shall be stored in a manner that prevents the attraction of or access to wildlife or disease vectors; and

- 41. Destruction of Markers:** The Grantee shall protect all survey monuments, witness corners, reference monuments, mining claim posts, bearing trees, and unsurveyed corner posts against damage, destruction, or obliteration. The Grantee shall notify the AO of any damaged, destroyed, or obliterated markers and shall reestablish the markers at the Grantee's expense in accordance with accepted survey practices of the DMLW.
- 42. Site Maintenance:** The authorized area shall be maintained in a neat, clean, and safe condition, free of any solid waste, debris, or litter, except as specifically authorized herein. Nothing may be stored that would be an attractive nuisance to wildlife or create a potentially hazardous situation.
- 43. Maintenance of Improvements:** The Grantor is not responsible for maintenance of authorized improvements or liable for injuries or damages related to those improvements. No action or inaction of the Grantor is to be construed as assumption of responsibility.
- 44. Amendment or Modification:** The Grantee may request an amendment or modification of this authorization; the Grantee's request must be in writing. Any amendment or modification must be approved by the AO in advance and may require additional fees and changes to the terms of this authorization.
- 45. Development Plan:** Development shall be limited to the authorized area and improvements specified in the approved development plan or subsequent modifications approved by the AO. The Grantee is responsible for accurately siting development and operations within the authorized area. Any proposed revisions to the development plan must be approved in writing by the AO before the change in use or development occurs.
- 46. Proper Location:** This authorization is for activities on state lands or interests managed by DMLW. It does not authorize any activities on private, federal, native, and municipal lands, or lands which are owned or solely managed by other offices and agencies of the State. The Grantee is responsible for proper location within the authorized area.
- 47. Improvements:** Any improvements/structures that may be authorized under this permit must be constructed in a manner that will allow for removal from the permitted site within 48 hours of receiving a notice to vacate. The establishment of permanent foundations and structures is prohibited under this permit. Authorized temporary improvements must be sited in a manner which impacts the least amount of ground consistent with the purpose of the facility. Any use of these improvements for purposes other than those explicitly authorized by this permit are prohibited.
- 48. Visual Screening:** The Grantee shall limit the visual impact of their activity. Examples include, but are not limited to, using non-reflective roof cover material, applying dark paint to all metal or light-colored plywood or other surfaces and storing all equipment in an acceptable, well-kept manner. Improvements should be screened from sight whenever possible using vegetation or other natural features.

49. General Operation of Vehicles: Existing roads and trails shall be used wherever possible. A permit from the AO is required for any off-road vehicular travel other than generally allowed use. Vehicles shall be operated without disturbing the vegetative mat and underlying substrate. Crossing waterway courses will be made using an existing low angle approach in order not to disrupt the naturally occurring stream or lake banks. There shall be no bank modification.

50. Winter Cross-Country Travel:

- a. Adequate Coverage
 - i. To prevent damage to the vegetative mat and underlying substrate, winter cross country travel may begin only after 12 inches of snow and 12 inches of ground frost exist.
 - ii. It is the responsibility of the Grantee to measure the snow and ice thickness to ensure that it is adequate for safe crossing.
 - iii. Ice roads and ice pads may be constructed in the work areas if they are thick enough to prevent damage to the vegetative mat and underlying substrate. No other ice roads are authorized under this permit.
- b. Ice and/or Snow Bridges and Ramps
 - i. This permit only authorizes the establishment and use of snow and/or ice bridges. The establishment of any other type of bridge is not authorized under this permit.
 - ii. Ice and/or snow bridges and approach ramps must be of sufficient strength to adequately support the weight of vehicles crossing them.
 - iii. Ice and/or snow bridges and approach ramps constructed at stream, river or slough crossings shall not contain extraneous material (i.e., soil, rock, brush, or vegetation) and shall be removed immediately after use or prior to breakup.
 - iv. Snow ramps, snow bridges or approved cribbing may be used as appropriate to provide access across streams to preclude cutting, erosion or degradation to stream banks.

51. Accidents and Incidents: The Grantee will notify the AO immediately (within 24 hours) of any accidents, injuries, or operational problems associated with the operations authorized under this permit.

52. Fire Prevention, Protection and Liability: The Grantee shall take all reasonable precautions to prevent and suppress forest, structure, brush and grass fires, and shall assume full liability for any damage to state land and structures resulting from the negligent use of fire. The State is not liable for damage to the Grantee's personal property and is not responsible for forest fire protection of the Grantee's activity. To report a wildfire, call 911 or 1-800-237-3633.

ADF&G Advisory: Helicopters shall maintain a minimum distance of 1,500 meters from observed wildlife when it is safe to do so. Under conditions for generally allowed uses, 11AAC 96.025(3)(C), helicopter use must be conducted in a manner that minimizes the disturbance of fish and wildlife resources. Doing otherwise may constitute wildlife harassment under AS 16.05.920(a) and 5 AAC 92.080(5).

The Authorized Officer reserves the right to modify these stipulations or use additional stipulations as deemed necessary. The Grantee will be advised before any such modifications or additions are finalized. DNR has the authority to implement and enforce these conditions under AS 38.05.850.

Any correspondence on this authorization may be directed to the Department of Natural Resources, Division of Mining, Land and Water, Southcentral Regional Land Office, 550 W. 7th Ave., Suite 900C, Anchorage, AK 99501-3577, (907) 269-8503.

I have read and understand all of the foregoing and attached stipulations. By signing this authorization, I agree to conduct the authorized activity in accordance with the terms and conditions of this authorization.

<u>Josh Cooley</u>		Operations Director	2/13/25
Signature of Grantee or Authorized Representative		Title	Date
<u>[Redacted]</u>	<u>[Redacted]</u>	<u>[Redacted]</u>	<u>[Redacted]</u>
Grantee's Address	City	State	Zip
Josh Cooley		<u>[Redacted]</u>	
Contact Person	Home Phone	Work Phone	
		NRM1	2/18/2025
<u>[Signature]</u>		Title	Date
Signature of Authorized State Representative			



Conditional Use Permit – Proposed Findings and Proposed Conditions

Date: February 11, 2026
File: CUP 25-03
To: Planning & Zoning Commission
From: Bruce Wall, Senior Planner
Conditional Use: Helipad

General Information

Applicant: Pulseline Adventures, LLC
Property Owner: State of Alaska, Department of Natural Resources
Street Address: Near MP 11.5 Richardson Highway
Legal Description: A portion of the Southwest ¼, Northwest ¼, Section 28, Township 9 South, Range 4 West, Copper River Meridian
Zoning District: Public Lands (P)
Existing Land Use: Vacant Land
Access: Gravel pit access road via Richardson Highway

VMC 17.08

“Conditional use” means a provision which allows for flexibility within this chapter by permitting certain specified uses in zoning districts where such uses are generally considered appropriate, but only after additional conditions and safeguards are applied to ensure their compatibility with permitted principal uses.

"Helipad" means a facility without the logistical support provided by a heliport where helicopters take off and land. Helipads do not include facilities for maintenance, repair, or storage of helicopters.

Project Description

Pulseline Adventures is proposing a short-term, seasonal landing zone/ staging area to support their heli-skiing operations adjacent to the access road to the state-owned gravel pits near MP 11.5 of the Richardson Highway. In their application, they state:

Pulseline has a need for a limited-use staging area (day use only) in this location to support and streamline our heli-skiing operations during March and April annually. This is an ideal location to support Pulseline's operations on certain days and during specific circumstances. Pulseline does not intend to utilize this site daily. There are only several days per season (approximately 5-10 days out of our eight-week season) when we may use the site to support our operations. Typically, these are days when weather conditions prevent us from accessing other terrain and/or utilized other staging areas.

In 2025, Pulseline Adventures obtained a five-year land use permit from Alaska Department of Natural Resources for the helipad at this location (LAS 34927).

Proposed Findings

Procedural Findings

- a) On December 28, 2025, the Community Development Department received a conditional use permit application from Pulseline Adventures, LLC.
- b) The Community Development Department reviewed the application and determined that it was complete, in accordance with VMC 17.12.090(E)(1).
- c) A public hearing was scheduled for January 28, 2026, to consider the Conditional Use Permit.
- d) The public hearing was rescheduled to February 11, 2026 because the notice requirement had not been met for the January meeting.
- e) Notice of the publication was published in KVAK's e-blast newspaper on January 26, 2026 and February 2, 2026.
- f) Notice of the meeting was published on the City of Valdez website on January 21, 2026, in accordance with VMC 17.12.090(E)(5) and 17.12.160(C)(1).
- g) Notice of the meeting was mailed on January 23, 2026 to the 10 property owners within 500 feet of the proposed helipad and within 500 feet of the requested flight paths, in accordance with VMC 17.12.090(E)(5), 17.12.160(C)(2), and 17.80.130(F).
- h) A document holder with public notice flyers was posted near mile 11.5 of the Richardson Highway and at the helipad site on January 23, 2026, in accordance with VMC 17.12.090(E)(5) and 17.12.160(C)(3).

1. **Criterion 1: Site Suitability.** The subject site shall be suitable to support the proposed conditional use and its associated structure(s) and site improvements. The Planning and Zoning Commission shall consider topography, slope and soil stability, geophysical hazards, surface and subsurface drainage, and water quality conditions on and around the subject site and the probable effects of the proposed conditional use upon these factors. VMC 17.12.090(C)(1)

- a) The narrative submitted by the applicant states, "*we believe the subject site is suitable to support the proposed conditional use (seasonal limited support of heli-*

skiing operations as described above). There will be no structures or site improvements. Our conditional use will have no adverse environmental effects.”

- b) The proposed helipad is located within the historic braided channels of the Lowe River, other than the historic channels, the surrounding area has less than a 2% slope to the west.
- c) There are not any known geophysical hazards on the property.
- d) It is not anticipated that the proposed use will have any affect on drainage or water quality.
- e) The geography of the site is suitable for the proposed use.

2. **Criterion 2: Utility, Sanitation, and Public Service Needs.** The conditional use and the associated site improvements shall be adequately served by utilities, emergency responders, and a sanitation facility to ensure long-term safety for its occupants and surrounding populations. The planning and zoning commission shall consider whether adequate sewer/sanitation, storm drainage, potable water, fire protection, public safety, access, and electrical power exist to serve the proposed use and associated structures/site improvements. VMC 17.12.090(C)(2)

- a) The narrative submitted by the applicant states, *“our conditional use of this site requires no structures or site improvements including utilities, sewer/sanitation, or potable water. As noted above, we desire to utilize this site as a day-use helicopter staging area during March and April annually on approximately 5-10 days out of eight weeks per season.”*
- b) Notice of the application was provided to the following city departments: Fire, Police, Public Works, and the Building Official.
- c) The application materials demonstrate that the utility, sanitation, and public service needs will be met.

3. **Criterion 3: Zoning District Standards.** With the exception of Planned Unit Developments (PUDs), the proposed conditional use and its associated site improvement(s) shall comply with the dimensional standards of the zone in which it is located. Notwithstanding, those zoning standards may be adjusted pursuant to a separate variance and/or administrative adjustment application. VMC 17.12.090 (C)(3)

- a) The narrative submitted by the applicant states, *“we do not believe that this criterion is relevant to our proposed conditional use of this site.”*
- b) The subject property is in the Public Lands (P) district.
- c) No structures are planned with the approval of the conditional use permit.

4. **Criterion 4: Specific Use Standards.** The proposed conditional use and its associated site improvement(s) shall comply with the applicable specific use standards pursuant to Chapter 17.80. VMC 17.12.090(C)(4)

- Helipads must demonstrate conformance with current FAA requirements for heliport and helipad design including touchdown and lift areas (*TLOF*), final

approach and takeoff areas (FATO), safety areas, and design for the weight and size of the helicopter.

- a) The narrative submitted by the applicant states, "*Pulseline operates with AS350 B2/B3 (Class A - small) helicopters that require a minimum 40' x 40' helipad with a clear area of 30' x 30' - the proposed site area exceeds the minimum helipad and clear area requirements for this aircraft. Pulseline Adventure ground personnel prepare appropriate touchdown areas on the snowpack for AS350 B2/B3 aircraft that are level, smooth, and compacted to safely support the weight of the aircraft. Additionally, the helipad and surrounding areas are free of debris, obstacles and obstructions. Helipads are marked with visual references for pilots with alder wands tied with biodegradable ribbon. The lift area exceeds the minimum of 100' x 100' required for Class A aircraft and exceeds the minimum width of 100' for the approach and departure paths.*"
- b) FAA heliport design guidance (AC 150/5390-2D) applies to the planning and design of heliports and helipads as facilities. The proposed use is a temporary, seasonal helicopter landing area on compacted snow, with no permanent construction. FAA regulations allow helicopter operations from temporary or unimproved landing areas provided operations are conducted safely and do not create hazards to persons or property. As such, strict heliport dimensional standards are not required for FAA compliance.
- c) Staff reviewed FAA heliport design guidance for reference; however, because the proposal is for a temporary seasonal landing area rather than a constructed heliport facility, FAA operational safety principles, not permanent heliport design standards, are the appropriate benchmark.
- d) The proposed helipad will not conform to FAA's heliport design guidance applicable to permanent heliport facilities.
- e) Although the proposed helipad does not conform to FAA heliport design guidance for permanent facilities, staff determined that such standards are not applicable to a temporary, seasonal landing area on compacted snow. FAA requirements for such operations are operational rather than dimensional, and the applicant has demonstrated that the landing area will be prepared, managed, and operated in a manner that does not create a hazard to nearby people or property.
- f) The proposed helipad satisfies the intent of this specific use requirement.
- The helipad must not create noise or winds that negatively impact pedestrians.
- g) The proposed helipad is not in an area typically used by pedestrians in the winter months.
- h) Condition of approval number 3 requires that the use of the helipad must not create noise or winds that negatively impact pedestrians.
- Helicopter landing hours may be restricted as a condition of a conditional use permit depending on the location of the helipad in relation to other uses.

- i) Because of its distance from other land uses, no restrictions are being placed on the operating hours.
 - The number of landings may be restricted as a condition of a conditional use permit depending on the location of the helipad in relation to other uses.
 - j) Because of its distance from other land uses, no restrictions are being placed on the number of landings at the helipad.
 - Additional public notice is required to be provided to properties within five hundred feet of the proposed helipad and requested flight paths.
 - k) Staff provided this additional notice as described above.
5. **Criterion 5: Comprehensive Plan Consistency.** The proposed conditional use and its associated site improvement(s) shall be consistent with the Comprehensive Plan's goals, policies, and maps in terms of land uses, development character, and scale. VMC 17.12.090(C)(5)
- a) The Future Land Use Map in Plan Valdez, the comprehensive plan for the City of Valdez does not designate a place type for the proposed helipad location.
 - b) Goal 3.3 of Plan Valdez states, "*Promote the community as a year-round visitor and recreation destination while effectively balancing the benefits with possible impacts.*"
 - c) In reviewing Plan Valdez, it does not appear that the proposed helipad will be inconsistent with its goals and policies in terms of land uses, development character, and scale.
6. **Criterion 6: Nuisance Mitigation.** The proposed conditional use and its associated site improvement(s) shall provide mitigation measures to address potential nuisances relating to excessive noise, lighting, vibration, traffic, debris and litter, and outdoor material storage. VMC 17.12.090(C)(6)
- a) The narrative submitted by the applicant states, "*We believe that our proposed use will not have detrimental effects. Due to its location, there will not be excessive noise, lightning, vibration, or traffic; there will be no debris or litter or material storage.*"
 - b) Because of its distance from other land uses, it is not anticipated that the proposed use will create any nuisances related to excessive noise, lighting, vibration, traffic, debris and litter, or outdoor material storage beyond what can be expected by similar operations operating in the community.
7. **Criterion 7: Access and Circulation.** The proposed conditional use and its associated site improvement(s) shall provide adequate site access for motor vehicles, pedestrians, and cyclists. Applications shall not be approved where the proposed use would create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists. VMC 17.12.090(C)(7)

- a) The narrative submitted by the applicant states, “*This criterion is not relevant for our conditional use which will not create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists.*”
- b) The proposed helipad will be located approximately 350 feet from the Richardson Highway along an access road that is otherwise not used in the winter months.
- c) The proposed use and its associated site improvements will provide adequate site access for motor vehicles, pedestrians, and cyclists, as appropriate.
- d) Due to its remote location, the proposed use will not create undue traffic congestion or pose a safety hazard to motorists, pedestrians, and/or cyclists.

VMC 17.12.090(E)(7)

The Planning and Zoning Commission shall conduct a public hearing to review the conditional use application, review the staff report, hear staff, applicant, and public testimony, discuss the proposal, adopt findings of fact (from staff or establishing their own), and take action on the application. The Commission may approve, approve with conditions, or deny the application.

Conditions

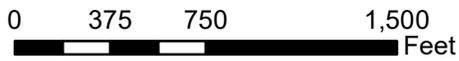
1. The conditional use permit is for a portion of the Southwest ¼, Northwest ¼, Section 28, Township 9 South, Range 4 West, Copper River Meridian to be used as a helipad.
2. The conditional use permit is effective upon approval.
3. The use of the helipad shall not create noise or winds that negatively impact pedestrians
4. The conditional use permit must be utilized within twelve months after the effective date of approval.
5. The use must be consistent with the submitted application, narrative, and site plan. Any substantial change to the use requires approval pursuant to VMC 17.12.090(F).

Staff Recommendation

Staff recommends that CUP 25-03 be approved by the Planning & Zoning Commission with the conditions recommended by staff.



Proposed Conditional Use Permit for a Helipad

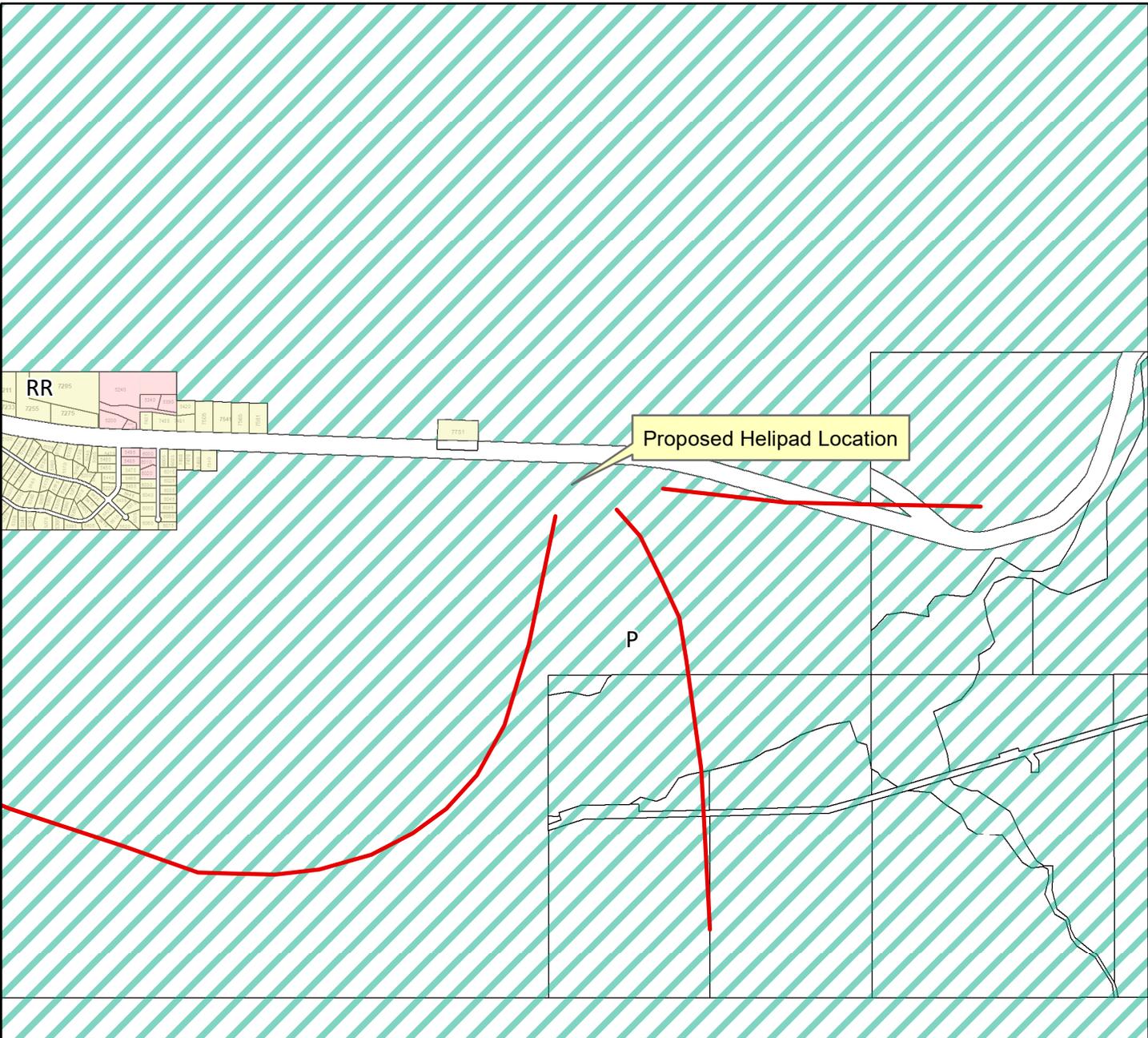


Date: 1/12/2026

Author: Community Development Department

Legend

— Proposed Flight Paths



Proposed Conditional Use Permit for a Helipad

Legend

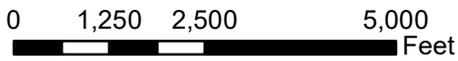
— Proposed Flight Paths

Zoning District

Rural Residential District (R-R)

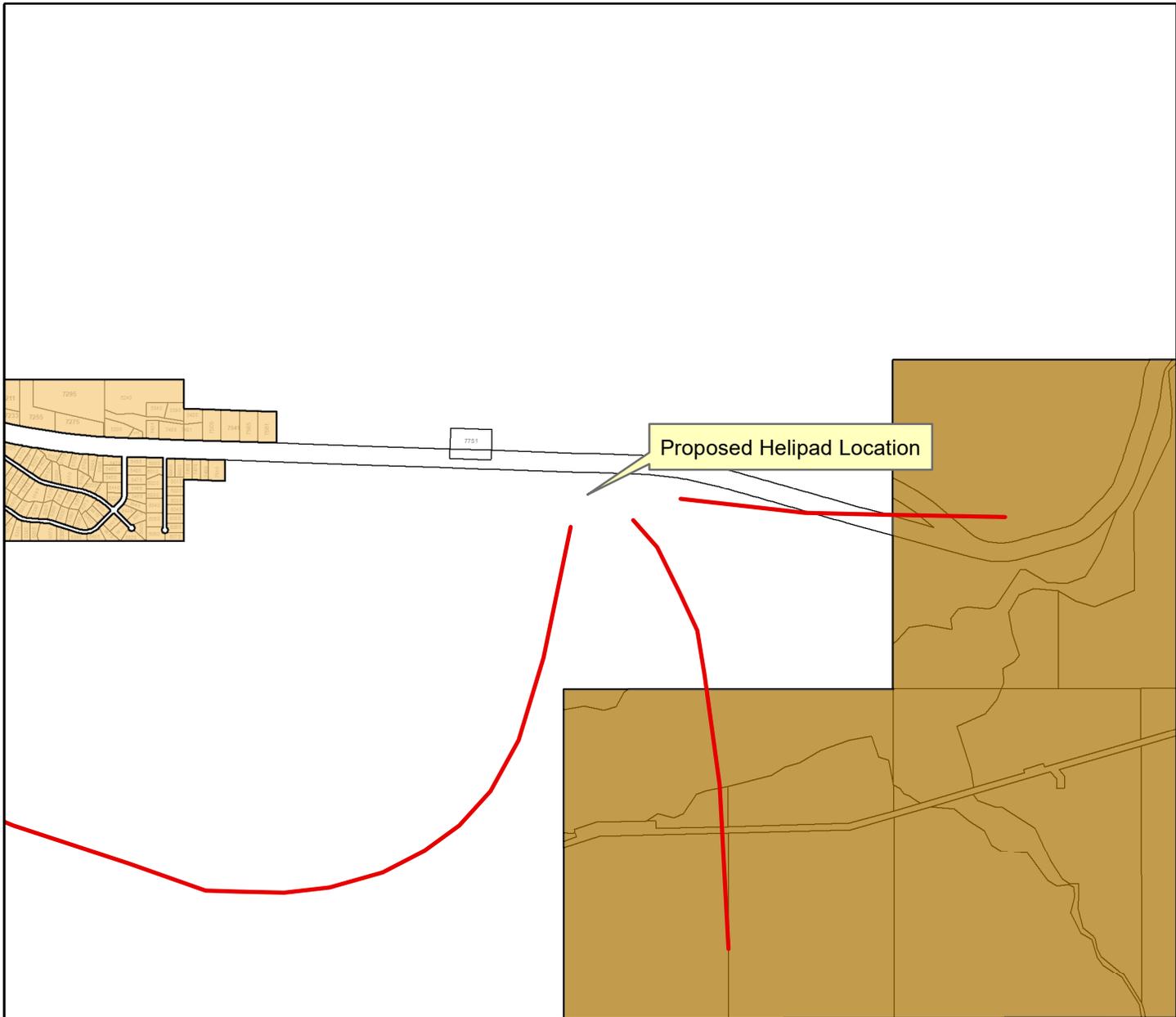
Neighborhood Mixed Use (NMU)

Public Lands District (P)



Date: 1/12/2026

Author: Community Development Department



Proposed Conditional Use Permit for a Helipad

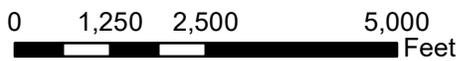
Legend

— Proposed Flight Paths

Comprehensive Plan Place Type

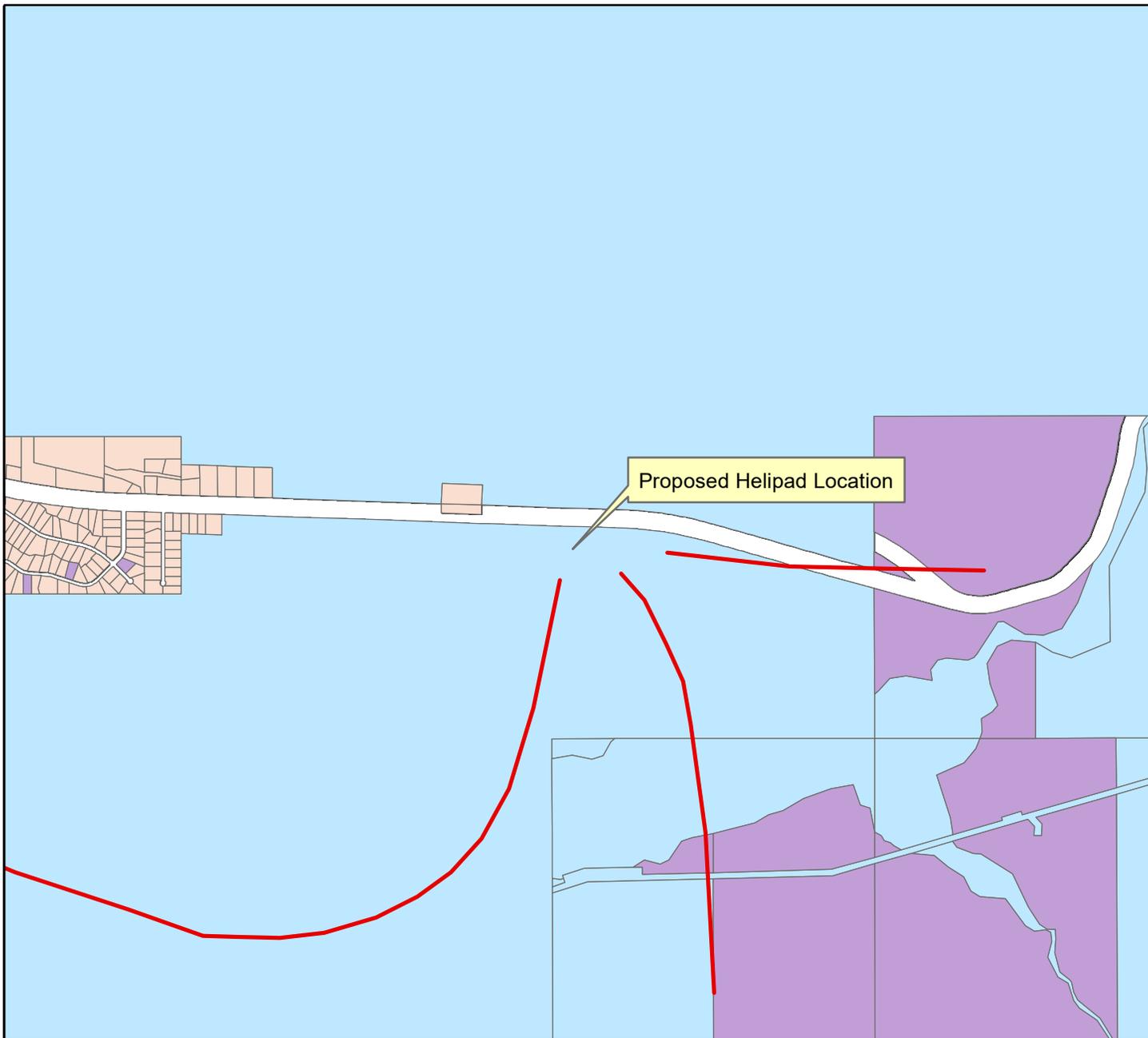
Rural Neighborhood

Future Residential



Date: 1/12/2026

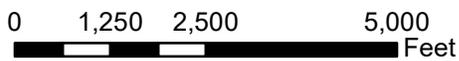
Author: Community Development Department



Proposed Conditional Use Permit for a Helipad

Legend

- Proposed Flight Paths
- Land Ownership - City of Valdez
- Land Ownership - Private
- Land Ownership - State of Alaska



Date: 1/12/2026

Author: Community Development Department