



## Legislation Text

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**File #:** 21-1449, **Version:** 1

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**STRATEGIC PRIORITY:** Quality of Life  
**AGENDA DATE:** September 9, 2021  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

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### **SUBJECT**

A public hearing, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments on the proposed use of Bachman Lake Park located at 3500 West Northwest Highway, totaling approximately 11,059 square feet of land, for the Federal Aviation Administration Fiber Optic Communications Project for the purpose of upgrading air traffic control communications for Dallas Love Field Airport, and, at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

### **BACKGROUND**

The City of Dallas owns approximately 206 acres of municipal parkland known as Bachman Lake Park located at 3500 West Northwest Highway.

The Federal Aviation Administration (FAA) proposes to install a new fiber optic cable from runway 31L to its existing 31L Localizer Facility on the north side of Bachman Lake by means of horizontal drilling (Exhibit A). Installation of the fiber optic cable will run underground approximately twenty feet below the bottom of Bachman Lake. Two bore pits located on either side of the land: on the south side within Love Field Airport, and on the north side within the Localizer Facility, will be the only above grade disturbance required in the project. Both bore pit locations are within existing FAA facilities, no aboveground parkland will be disturbed. Supporting electrical equipment and appurtenances will also be installed at the Localizer Facility.

The installation of the fiber optic cables requires a fiber optic easement in Bachman Lake Park of approximately 11,590 square feet (0.25 acre) of land (Exhibit A).

The existing Localizer Facility within Bachman Lake Park is accessed by a driveway and equipment is secured behind a chain link fence. Various components of the Dallas Love Field Airport Instrument Landing System at this location communicate using a telephone connection which was installed when the site was commissioned in 1967. The proposed project will upgrade data communication for

the airport.

The City and FAA entered into a Memorandum of Agreement (MOA) in 2008, and it was updated in 2014, for the cooperative construction, operation, and maintenance of FAA-owned navigation, communication, and weather aids for the support of Air Traffic Operations in the interest of public safety and for direct support of the ongoing operation of Dallas Love Field.

By a separate City Council action, the City will amend the MOA to include the fiber optic cable project. In accord with the long-standing MOA, the public will benefit from this project, and existing FAA equipment with the park, the City considers this a mutually beneficial project, good and valuable consideration for the use of belowground parkland. Furthermore, the City considers the impact of this project in Bachman Lake Park to be de minimis in regard to Section 4(f) resources.

In compliance with the law, the City must determine that there is a need for a fiber optic easement, that there is no feasible and prudent alternative, and that all reasonable care will be taken not to damage the remainder of the park property and to mitigate any disruption of park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On August 11, 2021, City Council authorized a public hearing to be held on September 9, 2021, by Resolution No. 21-1268.

#### **FISCAL INFORMATION**

No cost consideration to the City.

#### **MAP**

Attached