

Legislation Text

File #: AC 18-013, **Version:** 1

ALUC-17-06 (Rio Vista Airport Land Use Compatibility Plan Update)

Public hearing to consider adopting an Update to the Rio Vista Airport Land Use Compatibility Plan ("Update"), and adopt a resolution adopting the Update

RECOMMENDATION:

Conduct a public hearing to consider adopting an Update to the Rio Vista Airport Land Use Compatibility Plan ("Update" or "amendment"), and adopt a resolution adopting the Update.

Background

One of the responsibilities of the ALUC is to prepare Land Use Compatibility Plans for each of the three airports within Solano County. The Rio Vista Airport Land Use Compatibility Plan (Rio Vista Plan) was last updated in 1988. At the time the plan was prepared, the airport did not exist and the Plan was completed based on drawings for the construction of the current Rio Vista Airport. In 2007, the City of Rio Vista approved a new Master Plan for the Rio Vista Airport. In 2007, the Airport Land Use Commission reviewed the Master Plan and found that it was inconsistent with the 1988 Rio Vista Land Use Compatibility Plan. This action set the stage for requiring an update to the Rio Vista Airport Land Use Compatibility Plan.

Until recently, funds from CalTRANS have not been available to finance this needed update. The approved 2015 Capital Improvement Plan from CalTRANS replenished the funding for airport planning and has made this project feasible at this time. On April 2, 2015 the California Department of Transportation notified the County that a grant in the amount of 144,000.00 had been approved for the Rio Vista Plan update. At its January 26, 2016 Regular Meeting, the Solano County Board of Supervisors authorized staff to begin work on the update to the Travis Plan.

Discussion

The County of Solano contracted with Environmental Science Associates to prepare the update to the Rio Vista Plan. During the time since contracting, ESA performed several technical studies, produced a white paper on the update, conducted several public outreach efforts and worked with a Technical Advisory Group in order to produce the Update to the Rio Vista Plan being considered by the Commission (Appendix A - K). The final Rio Vista Plan prepared by ESA has been previously distributed to the Commission (Attachment A).

The Rio Vista Plan includes an overview of the updated plan, which states in part:

"This Rio Vista Airport Land Use Compatibility Plan updates land use compatibility policies applicable to future development in the vicinity of Rio Vista Airport (Airport). The policies herein are designed to ensure that future land uses in the surrounding area will remain compatible with the realistically foreseeable, forecasted aircraft activity at the Airport. As adopted by the Solano County Airport Land Use Commission (ALUC or Commission), these policies provide the foundation through which the ALUC can execute its duties to review land use development in

accordance with California's State Aeronautics Act (Pub. Util. Code, § 21670 et seq.).

The compatibility criteria defined by these policies are also intended to be reflected within general plans and other policy instruments adopted by Solano County and the City of Rio Vista. These jurisdictions are responsible for overseeing land use in the areas around Rio Vista Airport.

The Legislature also intended that "special districts, school districts, and community college districts are included among the local agencies that are subject to airport land use laws and other requirements of ... article" 3.5 of the State Aeronautics Act (Pub. Util. Code, § 21670(f)).

Figure 1 depicts the location of Rio Vista Airport and the surrounding area. Rio Vista Airport is located in the city of Rio Vista in the Sacramento-San Joaquin River Delta region, approximately 27 miles southwest of the city of Sacramento and 46 miles northeast of the city of San Francisco. The Airport is approximately two miles west of the Sacramento River and approximately 16 miles west of the Interstate 5 (I-5) highway.

This document contains policies directly associated with assessment of land use compatibility (Chapters 3, 4, and 5). The Rio Vista ALUCP incorporates and updates the review procedures from the Solano County Airport Land Use Compatibility Review Procedures and supersedes that document. Chapter 6 of the Rio Vista ALUCP establishes the review procedures to be followed by the Commission and affected local land use jurisdictions with respect to the Airport and other airports in Solano County."

The update process considered several major changes in circumstances since the 1988 Plan was adopted. Among the more significant are:

- **Aircraft Activity Changes** - The character and magnitude of aircraft activity at the airport has changed since the previous plan was prepared. In 2007, the City of Rio Vista approved a new Master Plan for the Rio Vista Airport.
- **Federal Regulations** - Since 1988 there have been many changes to federal regulations pertaining to airports and aircraft. One material change recently adopted by the FAA related to performing wildlife hazard assessments for airports and air bases. Federal Aviation Administration (FAA) Advisory Circular 150/5200-33B provides guidance for minimizing the risks that certain wildlife species pose to aircraft, delineating wildlife perimeter zones based on aircraft type and land use. In this circular, the FAA provides guidance for airport operators and parties assuming guidance of airports and airfields to minimize the risks that certain wildlife species pose to aircraft, which primarily focuses on creating a Wildlife Hazard Assessment Boundary, to prevent aircraft collisions with birds and other wildlife.
- **State Laws and Regulations** - State laws and regulations concerning airport land use compatibility planning have changed considerably in a few aspects. The *California Airport Land Use Planning Handbook*, prepared by Caltrans, was last updated in 2011 and provides extensive guidance regarding the preparation and content of LUCPs, ALUC review procedures for local actions, and the responsibilities of local agencies. The 2011 Handbook recommends establishing separation distances between public airports (or military airfields) and wildlife attractants, which are delineated by FAA Advisory Circular 150/5200-33B, titled "Hazardous Wildlife Attractants On or Near Airports," (August 2007). This Advisory Circular can be found in Appendix G.

The proposed revisions in the Update principally address the changes in federal and state requirements for airport land use planning and introduce new regulations involving wildlife hazards as summarized below:

- **Wildlife Hazards** - The Update provides policy guidance for projects which may cause bird strikes or attract wildlife across the runways at the Rio Vista Airport. The Plan depicts two wildlife hazard zones, the Inner WHA Boundary and Outer WHA Boundary, which contain specific development requirements. The Inner WHA Boundary, based on

Federal Aviation Administration (FAA) Advisory Circular (AC) 150/5200-33B and coterminous with the Traffic Pattern Boundary represented by Safety Zone 6, is intended to minimize bird strike hazard occurrence. The Outer WHA Boundary is located five miles from the farthest edge of the Airport's air operations area (AOA), which the FAA recommends for any hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace. FAA Advisory Circular 150/5200-33B provides guidance for minimizing the risks that certain wildlife species pose to aircraft.

In addition to these policy areas, there are some miscellaneous revisions to the Plan, including:

- **Review Procedures** - The Update incorporates review procedures for the Rio Vista Airport within the Rio Vista Plan rather than relying on the previous separate Review Procedures document which applied to all three airports in Solano County.
- **Airport Influence Area** - The Update includes amendment of the Airport Influence Area to encompass the Outer WHA Boundary as shown in Figure 2 of the Update, which responds to the need for policies protecting against wildlife hazards as recognized by FAA. Wildlife hazards can create hazards to the safety and efficiency of flight operations at airports.

ESA will be present at the hearing and will make a presentation summarizing their work on the Update to the Rio Vista Plan, the outreach process and results and the distinguishing characteristics of the updated plan.

CEQA

Staff is recommending that the Commission find that the proposed Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to the "commonsense exemption" found in Section 15061(b)(3) of the CEQA Guidelines.

(See Exhibit 5 for a complete discussion of the CEQA Exemption).

PROPOSED FINDINGS

Based on the analysis above, the staff is recommending that the Commission adopt the following findings:

1. **Purpose and Need.** A sound governmental purpose and need exists for the Commission's adoption of the proposed update. For the reasons described in Exhibit B and based upon the administrative record, a sound governmental purpose and need exists for the Commission's adoption of the proposed amendment.
2. **CEQA Commonsense Exemption.** The Commission's adoption of the proposed amendment is exempt from the California Environmental Quality Act under the "commonsense" exemption described in the CEQA Guidelines. (*Guidelines for Implementation of Cal. Environmental Quality Act*, Cal. Code Regs., tit. 14, ("CEQA Guidelines"), § 15061, subd. (b)(3).) The commonsense exemption applies "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment" (*Ibid.*) For the reasons described in Exhibit C and based upon the administrative record, the commonsense exemption applies.
3. Adopt the other related findings as set forth in the attached Resolution accompanying this Staff Report.

Recommendation

Conduct a public hearing to consider adopting an Update to the Rio Vista Airport Land Use Compatibility Plan ("Update"), and adopt a resolution adopting the Update. Figure 2 of the Update reflects the Update's proposal to extend the airport influence area.

Attachments:

Attachment A and A-1: Rio Vista Airport Land Use Compatibility Plan - Final -previously distributed to the commission and can also be found at:

http://www.solanocounty.com/depts/rm/boardscommissions/solano_county_airport_land_use_commission/documents.asp

Exhibit A: Resolution

Exhibit B: Governmental Purpose and Need

Exhibit C: CEQA Memo

Appendices A-L