

Solano County Airport Land Use Commission



**SOLANO
COUNTY**

675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805

www.solanocounty.com

Bruce DuClair
Vice-Chairman

**MINUTES OF THE
SOLANO COUNTY AIRPORT LAND USE COMMISSION
MEETING OF OCTOBER 13, 2016**

The meeting of the Solano County Airport Land Use Commission was held in the Solano County Administration Center, Board of Supervisors Chambers (1st floor), 675 Texas Street, Fairfield, CA.

MEMBERS PRESENT: Commissioners Baldwin, Vancil, Randall, Meyer, Sagun, and Chairman DuClair

MEMBERS ABSENT: Commissioners Cavanagh and Baumler

OTHERS PRESENT: Jim Leland, Resource Management; Lee Axelrad, County Counsel; Kristine Sowards, Resource Management

Call to Order & Roll Call

Chairman DuClair called the meeting to order at 7:00 p.m. Roll call was taken and a quorum was present.

Approval of the Agenda

The agenda was approved as prepared.

Approval of the Minutes

There were no minutes available for approval.

Reports from Commissioners and/or Staff

There were no committee reports.

Items from the Public

There was no one from the public wishing to speak.

Old Business

There was no old business to discuss.

New Business

1. Public hearing to consider the consistency of ALUC-2016-05, the City of Vallejo General Plan Project, with the Travis AFB Land Use Compatibility Plan.

Jim Leland gave a brief presentation of staff's written report. This Project is essentially rearranging some of the residential, commercial and industrial land uses within the City and includes a specific plan to develop a set of policies and projects to promote the redevelopment of the southern stretch of Sonoma Boulevard. The Project does not include any rules or standards for wind or solar projects, nor does it deal with the height of objects. The current zoning regulations limit the allowed height of objects to 100 feet above ground level.

Since the General Plan Project does not address those development aspects regulated in Zones D

and E of the Travis Plan, staff is recommending that the Commission make the determination that the Vallejo General Plan Project is consistent with the Travis Plan.

In response to Commissioner Vancil, Mr. Leland stated that nearly all of Vallejo would be exempted from the line-of-sight limitation but there are portions of the hills around Hiddenbrooke where, depending on the height of the tower, there might be some infringement. Mr. Leland commented that none of this is allocated in the general plan so the county would have to look at the zoning requirements at the time wind turbines are proposed.

Chairman DuClair opened the public hearing. Since there were no speakers either for or against the matter, the public hearing was closed.

A motion was made by Commissioner Randall and seconded by Commissioner Sagun to find that application ALUC-2016-05, City of Vallejo General Plan Project, is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan); the Vallejo General Plan Project lead to some revisions to the City's Zoning Regulations which will require a subsequent ALUC review of the future zoning code revisions for consistency with the Travis Plan. The motion passed unanimously. (Resolution No. 16-05)

2. Update from staff regarding the progress of the Wildlife Hazards Working Group.

Mr. Leland stated that the group has been making progress and expect to have a report available in December with final recommendations. He explained that the group had two principal charges: one was to see if there are any projects the county would be willing to make exempt from the need for a wildlife hazard assessment because they are so deminimis; and the other charge was to take a look at the Solano County Water Agency's Habitat Conservation Plan and make a preliminary determination or recommendation that it is consistent with the Travis Plan. Mr. Leland stated that the committee seems to have a list developed of deminimis projects, and no one has been writing recently to add any further items for consideration. He believed the list will probably be adopted at the next committee meeting and forwarded to the commission.

Commissioner Meyer spoke with regard to the potential increase in birds if more wetlands are established and inquired if there is any work being done with the Sacramento Airport for wildlife mitigation. She commented that the airport is one of the highest bird strike airports on the west coast.

Mr. Leland stated that at the local level with the water agency, the cities, and the county, we will be in good shape in terms of steering any future wetland development away from Travis, and design it in such a way that it does not attract the largest of the birds. He said there are already bird populations in existence because the county already has existing wetlands. He commented that the biggest problem is the State policies that are directing state sponsored wetland development in Solano, Yolo and Sacramento counties and the scale of that is vast in comparison to the small projects generated at the local level. He said the county is going to have to address that in the near term and he believed staff would be coming before the commission to talk about options.

3. Update from staff regarding the progress of the Renewable Energy Working Group

Jim Leland stated that the renewable energy group has also been making progress. They had two items they were given charge to look at. The easier task was to develop a policy about existing wind turbines and whether or not they can be replaced and in which manner if a catastrophic failure were to occur. He believed that the group has submitted a policy that is going to allow them to replace the turbines with something that is of not much concern to radar operations at the Base. They will not be limited by line-of-sight when they are replacing an existing wind turbine and it is probably not of concern because it does not happen often. The other item being looked at is whether there are some criteria other than line-of-sight that could be used or recommended for the Montezuma Hills area of the county. As of right now, the group has nothing to offer although they have explored several paths but ended up realizing those

ideas were not going to work out. Mr. Leland said that they are expecting some information from the SMUD representative who sits on the committee to see if there is another avenue to explore. Mr. Leland commented that either way they are going to have to come to a recommendation by December so that this can come before the commission for guidance or final decision.

4. Update from staff regarding potential regulation of drones.

Lee Axelrad provided an update on staff's effort to craft a path toward the commission considering some regulation of drones. At the last presentation, staff discussed in some detail the commission's traditional role in the areas of land use, and tonight Mr. Axelrad talked about some of the other authorities the commission holds. Staff is planning to bring forth a work plan to the commission in December. Mr. Axelrad explained that powers of the commission as set forth in the State Aeronautics Act can be grouped into three areas: assisting and coordinating with local agencies to ensure compatible land uses around aviation; preparing and adopting land use compatibility plans; and examining local plans and regulations for review. Mr. Axelrad spoke more specifically on these three issues. He also spoke to the role of the FAA on regulating aircraft including drones. He reviewed the areas of the work plan that will come before the commission in December.

Commissioner Sagun inquired as to what kinds of issues the commission will be considering aside from the matters already regulated by the FAA or handled by law enforcement.

Mr. Leland stated that the missing piece from the FAA relates to conventional piloted aircraft. He said the FAA imposes rules on the two components which relate to where takeoffs and landings can take place. He said that local government has a say on where the airports can be placed, but once an area is designated the FAA has rules about what path can be used for takeoff or landing. The closer the area is to the airport, the less likely approval will be granted for residences or places with immobile populations because of accident prone zones. With respect to drones, Mr. Leland stated that the FAA has elected not to regulate where you can launch and recover them from. They gave away the airspace at less than 400 feet which is also creating problems because they generally want the aircraft they regulate above 500 feet to create a separation between the cities below. Mr. Leland stated that this is an area he expects local government will want to control. He commented that trespassing is also an issue and these are the kind of issues the county will probably want to examine. He felt that the principle argument will be about what the rules are concerning launch and recovery sites.

Commissioner Vancil commented with regard to the wind turbines that were approved in 2009. He said the turbines were beginning to be constructed and folks in the area liked them, but then complaints started to roll in about problems of them impacting radar at Travis AFB. Ultimately, by the commission stepping into the role of assisting and coordinating with local and regional planning, a working group was formed and interested parties came together to help solve the issues. Commissioner Vancil said he could anticipate that effort happening here as well. He commented that there is not currently a clearly defined problem, but the FAA is presently working on their own issues with drones and in the future there will be a point where local agencies will have to ensure some kind of regulation. For Solano County Travis AFB will undoubtedly be one of the focus points for drone activity because of safety and security issues surrounding the base, and there could be local law enforcement issues that arise as well. Mr. Vancil believed the county has a role in being an assisting agency because of the existing coordination the county has with the FAA.

Mr. Leland stated that a significant component of the work plan that is being developed is doing exactly what Commissioner Vancil intimated; to acquire experts from a variety of Stakeholder groups to inform staff if there is a problem and to define those problems. He said that staff does not have a set of regulations ready to bring forward to the commission, but are only asking the questions to get feedback.

Commissioner Meyer spoke with regard to the issue of drones flying over public property such as a public swimming pool or public event venue with large groups of people, and the potential risk of the

drone falling into the crowd causing a safety hazard and likely injury. She inquired about possible interference in public areas with law enforcement activities and wanted to know the anticipated course of action with regard to that issue.

Mr. Leland explained that the regulations local governments are starting to adopt tend to deal with the issue of public airspace. Several jurisdictions are adopting local laws that prohibit flying a drone over a particular stadium or park and the like. The FAA rules say that a drone cannot be flown over a human being. He noted that some of the work the committee may need to look at may involve looking at the obligations of local law enforcement.

Commissioner Sagun commented that this could potentially cause a chain of events, for example if the county decides they do not want drones flying over public assembly areas where large concentrations of people gather, then what about such things as kites being flown over a large gathering. Commissioner Sagun noted his point being the need to proceed carefully so there is not over regulation and we actually solve a problem that exists and not go down a path of negativity toward drones.

Commissioner Randall said that he agrees that we should be careful not to over regulate this use. He also mentioned the need to examine the regulations as they relate to fixed objects for example wind turbines.

Mr. Axelrad informed the commission that they have great flexibility in addressing these issues in a way that makes sense. There is high flexibility in the commission's considerations because of the number of drones in the air today are the fewest that will ever be. As time passes it will become harder to fix the problems and so that is why staff is asking these questions at an early juncture so that the commission can point them in the right direction.

Adjournment

Since there was no further business, the meeting was adjourned.