

Minutes - Final Airport Land Use Commission

Thursday, June 9, 2022

7:00 PM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Airport Land Use Commission met on June 9, 2022 in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California, at 7:00 p.m.

Present were Commissioners Catherine Cook, Bruce DuClair, Thomas Randall, Donald Ryan, Ross Sagun, Dan Sarna, Stephen Vancil and Chairman J.W. Seiden. Staff present were Resource Management Director Terry Schmittbauer, Deputy County Counsel Lori Mazzella, Planning Services Manager Allan Calder (WebEx), Principal Planner Nedzlene Ferrario and Clerk Marianne Richardson.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Cook, DuClair, Randall, Ryan, Sagun, Sarna, Vancil and Chairman Seiden

APPROVAL OF REMOTE TELECONFERENCING

[AC 22-013](#)

Public Hearing to consider a resolution authorizing remote teleconference meetings for the period of June 9, 2022 to July 9, 2022 as a result of the continuing COVID-19 pandemic state of emergency.

Attachments: [A - Draft Resolution](#)

On a motion by Commissioner Sagun, and seconded by Commissioner Sarna, the Commission adopted the remote teleconferencing resolution for the period of June 9 to July 9, 2022. So ordered by 8-0 vote.

ELECTION OF OFFICERS

[AC 22-020](#)

ELECTION OF CHAIR and VICE-CHAIR

Annual nomination and election of Chair of the Solano County Airport Land Use Commission, and annual nomination and election of Vice-Chair of the Commission, as provided in the Bylaws.

Chairman Seiden opened the item for nomination of officers.

On a motion of nomination by Commissioner DuClair, and seconded by Commissioner Sagun, the commission approved by unanimous vote that Commissioner Cook will serve as Chair.

On a motion of nomination by Commissioner DuClair, and seconded by Commissioner Vancil, the commission approved by unanimous vote that Commissioner Sagun will serve as Vice-Chair.

APPROVAL OF AGENDA

On a motion of Commissioner Vancil, and seconded by Commissioner Randall, the agenda was approved by unanimous vote.

APPROVAL OF THE MINUTES

[AC 22-014](#)

Attachments: [April 14, 2022 Minutes - Draft](#)

On a motion of Commissioner Seiden, and seconded by Commissioner DuClair, the minutes of April 14, 2022 were approved by unanimous vote.

REPORTS OF COMMITTEES

Commissioner Ryan, Chair of the Wildlife Hazard Committee, noted that the Commission will receive an informational presentation regarding the Little Egbert project tonight, and asked the Wildlife Hazard committee members to update the commission on their efforts.

Commissioner Randall stated his update will be delayed due to difficulty making contact with leaders of the Peter's Pocket and Suisun Marsh Projects.

Commissioner Sagun provided update on the Lower Yolo Ranch (1682 acres, 15 miles from Travis approach runway, funded by DWR, completed Nov. 2020) and listed the development components and goal of restoring habitat for native fish. He further provided update on the Lookout Slough project (3400 acres, 13 miles from Travis runway, funded by DWR) with the same project fundamentals and goal as the Lower Yolo Ranch project. The Lookout Slough project went before the Delta Stewardship Council, where it was appealed but upheld in July 2021, and another appeal was denied on or about May 2022.

Responding to a question by Commissioner Seiden, Commissioner Sagun stated he did not measure the distance from the Rio Vista runway, but will report back at the next meeting.

ITEMS FROM THE PUBLIC

There were no public comments for this item.

CONSENT CALENDAR

PUBLIC COMMENT ON CONSENT CALENDAR

There were no public comments on the consent calendar.

APPROVAL OF THE CONSENT CALENDAR

Commissioner Sagun requested agenda item ALUC-22-016, North Village – Area Plan 2, be moved to the Regular Calendar for discussion.

On a motion by Commissioner Seiden, and seconded by Commissioner Ryan, the following consent calendar was approved by unanimous vote.

[AC 22-015](#)

ALUC-22-03 Northgate Childcare Center

Public hearing to consider the consistency of Application No. ALUC-22-03, (Northgate Childcare Center), with the Travis Air Force Base (AFB) Land Use Compatibility Plan (LUCP) (City of Benicia)

Attachments: [A - ALUC Application](#)
[B - Figure 1](#)

REGULAR CALENDAR

OLD BUSINESS

There was no old business.

NEW BUSINESS

[AC 22-016](#)

ALUC-22-02 North Village - Area Plan 2

Public hearing to consider the consistency of Application No. ALUC-22-02, (North Village - Area Plan 2), with the Travis Air Force Base (AFB) Land Use Compatibility Plan (LUCP) and the Nut Tree Airport Land Use Compatibility Plan (ALUCP)(collectively ALUCPs). (City of Vacaville)

Attachments: [A - Application](#)
[B - Link to North Village Specific Plan, Project Plans and Environmental Doc](#)
[C - Location Map](#)
[D - Figure 1](#)
[E - Figure 2](#)
[G - Referral Letter](#)

Principal Planner Nedzlene Ferrario presented the North Village specific plan amendment and staff recommendation to the Commission.

Commissioner Sagun asked for clarification of the staff report in paragraph 3 of page 5, specifically over flight easement mitigation measure 4.12 2 subparagraph C which is not found in the report. Ms. Ferrario deferred to City of Vacaville staff as that item was not included in the report.

Albert Enault, Senior Planner with the City of Vacaville Community Development Department, stated that mitigation measure would require the developer to record an easement on properties in Zone E with restrictions in land use activities and refer to the Nut Tree Airport Land Use Compatibility Plan (LUCP). He further stated that measure would not apply as this specific plan amendment area would affect property in Zone D of the Travis AFB LUCP.

Chair Cook referred to the staff report page 10, second paragraph of the Buyer Awareness Measure and asked why we would not ensure that the deed notification requirement is spelled out.

Ms. Ferrario responded that the deed notification requirement is required as condition of approval of the subdivision and recorded final map subsequent to approval of the specific plan, included in the implementation program of a specific plan. The reference in the paragraph (on page 10) means that the current specific plan verbiage acknowledges the deed requirement and therefore meets the test of consistency.

Chair Cook indicated that the next item, Greentree project is a similar project and it seems inconsistent not to have the same requirement for this project.

Ms. Ferrario responded that Greentree Project did not address this issue in the plan and consistency is conditioned upon including language regarding deed notification in the Greentree Project Plan.

Commissioner Ryan asked if the properties south of the development already have that verbiage on their deeds for the Nut Tree Airport.

Mr. Enault responded that the City requires the project to record deed notification on the properties.

Mr. Enault confirmed Commissioner Ryan's question that this will be the standard for these properties as well.

Commissioner Vancil asked of any future plans to develop the open space area in AP1 north of Vaca Valley Parkway banded by highway 505 on North Village Parkway.

Mr. Enault responded that there is a portion originally designated as business park mainly due to restrictions of the LUCP. An amendment is part of this plan identifying mitigation land originally part of the Army Corps of Engineers to be preserved as wetlands, and the business park is shrinking to reflect the mitigation.

On a motion of Commissioner Sagun, and seconded by Commissioner Seiden, the item AC 22-016 North Village - Area Plan 2 was found to be consistent with the Travis AFB and Nut Tree Airport Land Use Compatibility plans. So ordered by 8-0 vote.

[AC 22-017](#)**ALUC-22-01 Greentree Project**

Public hearing to consider the consistency of Application No. ALUC-22-01, (Greentree Project), with the Travis Air Force Base (AFB) Land Use Compatibility Plan (LUCP) and the Nut Tree Airport Land Use Compatibility Plan (ALUCP) (City of Vacaville).

Attachments: [A - Application](#)
 [B - Link to Greentree Specific Plan and Draft EIR](#)
 [C - Location Map](#)
 [D - Figure 1](#)
 [E - Figure 2](#)
 [G - FAA Advisory Circular](#)

Ms. Ferrario introduced the project and discussed the memorandum supplied to commissioners to modify two conditions of approval. The revisions required the City to add the following recommendations in the Final Greentree Specific Plan: a) Incorporate the Federal Aviation Advisory Circular (FAA AC) 150/5200-33C design considerations regarding off-airport stormwater basins included in Paragraph 2.3.2 to minimize opportunities for plant growth that attract waterfowl and comply with the City of Vacaville Stormwater Detention Facilities Design Standards; and b) Add mention of the deed notification requirement in the Final Greentree Specific Plan, applicable to all new residential, commercial and mixed-use development in Travis AFB Compatibility Zone D. She stated that the developer was in attendance to present the project.

Responding to a question by Commissioner Sagun, Ms. Ferrario stated the stormwater detention basins are part of a system designed to collect rain runoff and dispense into the neighboring system to reduce flooding during storm events.

Responding to a question by Commissioner Sagun, Ms. Ferrario noted that the City of Vacaville stormwater design criteria is more restrictive than the FAA (Federal Aviation Administration) guidance, and that implementation of the Vacaville design standard will minimize ponding and birds.

Responding to a question by Chair Cook, Ms. Ferrario stated that the third paragraph in the attached memorandum is in error and that the project is within the Travis AFB LUCP Zone D.

Chair Cook requested clarification of how the vegetation would be maintained, either by a landscape maintenance district or by the City. Ms. Ferrario deferred the question to be responded by the developer.

Commissioner Seiden noted paragraph 3 of the attachment refers to the idea that the bottom of the retention basin will have at least a 1 percent slope for collected water to drain, and that the Vacaville design standard is 24 hours.

Ms. Ferrario stated the pumps, bottom and sides of the basin all have design standards.

Richard Loewke, Manager of the Greentree Project, presented an overview of the project to the Commission.

Responding to a question by Commissioner Sagun, Mr. Loewke stated they measure intensity of residential development by density (units to the gross or net acre) and in this case the maximum residential density is 24 units per acre, which is the maximum allowable density under the draft Specific Plan.

They have prepared and circulated a Draft Environmental Impact Report (DEIR) and the City's consultants are currently preparing a final report, after which they will go before the Vacaville Planning Commission and City Council. The plan has been evaluated in the DEIR including all of the density components, traffic generation, and storm drainage as part of that plan.

Responding to a question by Commissioner Sagun, Ms. Ferrario stated that the LUCPs do not set a maximum density standard for this zone and that there were no restrictions on intensities or densities according to the Nut Tree Airport LUCP.

Commissioner Sagun asked why there is not a density restriction in the plan. Ms. Ferrario clarified that the density restrictions are applicable to areas closer to the airport runway and this project is located outside the area of restriction.

Responding to Commissioner DuClair's concern of traffic impacts, Mr. Loewke stated that traffic has been a subject of great attention. He added that the development has a 1 mile frontage on Leisure Town Road, 2 signalized intersections, a right in/right out onto Leisure Town Road, and discussed traffic calming measures including a small roundabout, signal controls, radar detection speed alert system and two actuated flashing pedestrian crosswalks.

Responding to a question by Commissioner Ryan, Mr. Loewke stated the B Street access is right turn only in and out to Leisure Town Road.

Chair Cook opened the public hearing. Hearing no comments, the public hearing was closed.

On a motion of Commissioner Seiden, and seconded by Commissioner Sagun, item AC 22-017 Greentree with inclusion of two conditions of approval was found to be consistent with the Travis AFB and Nut Tree Airport Land Use Compatibility Plans. So ordered by 8-0 vote.

INFORMATIONAL ITEMS

[AC 22-018](#)

Continued discussion to amend the Travis Air Force Base and Rio Vista Airport Land Use Compatibility Plans

Ms. Ferrario provided an update to the plan amendment efforts and stated that ESA Associates has declined to continue due to potential conflicts of interest. However, the County is working with other consultants on a scope of work and assembling a wildlife task force that will support plan amendments as well as the wildlife hazard committee in evaluation of Little Egbert.

Responding to a question by Commissioner Randall, Ms. Ferrario believes there is time to work on this effort both on the overall plan amendment and

evaluation of Little Egbert as they will hear in the next presentation that their timeline suggests CEQA initiation for mid 2023. Her goal is to get team consultants on contract by August 2022, and staff will be actively working with the wildlife hazard committee and wildlife task force.

Responding to a question by Commissioner Vancil, Ms. Ferrario stated that ESA had designed an approach that included a focus group and outreach to various jurisdictions. Staff's new approach will be to hire a wildlife biologist and perhaps even eco-engineering staff to assist in review of the restoration efforts.

[AC 22-019](#)

Little Egbert Multi Benefit Project Presentation by Eric Nagy, Little Egbert Joint Powers Authority (JPA)

Ms. Ferrario introduced the item indicating it was an information only presentation by the Little Egbert Joint Powers Agency (JPA) Executive Director, Eric Nagy. She added that Rio Vista and DWR (Department of Water Resources) staff were also in attendance.

Mr. Nagy provided an overview to the Commission of both the Little Egbert tract's role in flood management, as well as the potential multi benefit project currently considered by the JPA.

Mr. Nagy introduced Morgan O'Brien, DWR Senior Engineer and Project Manager of the Little Egbert project. Ms. O'Brien discussed the Central Valley Flood Protection plan which identified this project and is interested in any comments from the Commission. She indicated that the ALUC may receive project email updates and public notices. She also encouraged the Commission to reach out for future ALUC participation if needed.

Mr. Nagy added that the JPA has a website and monthly board meeting with opportunities for information sharing and encourages coordination at a board or commission level.

Commissioner Sarna asked if the JPA spoke with area farmers. Mr. Nagy responded they had an agronomist evaluate property, historic crop patterns and potential crops of higher value such as rice/wild rice, that still meet the land use restrictions. The conclusion in the 2018 Reconnaissance Study indicated there is limited opportunity for that. Mr. Nagy reported that the previous landowner calculated it was cheaper to lease the land due to the potential of flooding and cost to reclaim. He noted that the last two property owners both sold a year after the levees almost failed from high water events.

Responding to a question of the EIR by Commissioner Sarna, Mr. Nagy stated the EIR has not started and that a notice of preparation is about 12 months away.

Commissioner Sarna asked if the JPA and the City of Rio Vista had a discussion regarding expansion of the airport runway when they met. Mr. Nagy responded they had not engaged the City directly in regard to airport facilities.

Commissioner Seiden provided a brief history of flooding events in the City of Rio Vista. He asked what vegetation or flooding might exist on the Little Egbert tract?

Mr. Nagy responded that what will be certain in any scenario is that the tract will be inundated and will not remain in its current land use. How the tidal marsh is configured under controlled inundation versus uncontrolled flooding and what types of vegetation will be placed at which locations, are all things still open for discussion. He does not anticipate there being an alternative where the tract looks as it does today.

Commissioner Seiden stated that if the property is flooded, the continued operation of the Rio Vista Airport would not be feasible due to the increased bird strike risk.

Mr. Nagy replied that they have to let the data bear that out and that they will go through the ALUC analysis process and determine if that is a likely outcome. There is tremendous bird use of the land right now, but he is not in a position to talk about how that might compare with the future land use configuration.

Chair Cook asked if the JPA is looking at mitigation measures in the feasibility study given the proximity to the airport runway. Mr. Nagy added that they can start discussions now, but it is more likely that they will have the information such as project configuration and the mitigation analysis to fully support that discussion during CEQA.

Commissioner Sarna asked if the distance from Little Egbert to Lower Yolo Ranch or Lookout Slough project is known. Mr. Nagy responded he believed it's about 2-3 miles, maybe more.

Commissioner Ryan asked if the current agricultural land level is below sea level. Mr. Nagy responded that the topography shows the property is lower further north and shallower further south, but all would be under water even in a drought year.

Robin Borre, Director of Public Works and Airport Manager for the City Rio Vista, spoke of concern regarding this project to the airport and its plan for extending the runway 500 feet, making it even closer to the Little Egbert property. She supports increasing flood walls and levees but not flooding the property.

Commissioner Sarna agreed with Ms. Borre as a pilot flying the area daily. He discussed the migratory birds and potential hazard to pilots and thereby residential areas near the airport. He then described the use of the Rio Vista runway as an instrument approach during winter and added that the Sacramento area as highest in the nation for bird strikes. He expressed a concern regarding large pelicans if smelt comes to the area because of the habitat.

Commission Sagun asked if any discussions have occurred between the developer and the Rio Vista Airport regarding possible design changes or mitigations. Ms. Borre responded that the City of Rio Vista has had no contact with the developer regarding the project other than a community meeting regarding their flood feasibility study which was about raising the levees and flood barrier placement. The developer brought visual displays to the community meeting, yet the Airport could not be seen as that area was covered by comment graphics.

Commissioner Randall stated concern that Rio Vista is not part of the project conversation and is interested to learn what affect it will also have to Travis AFB. He further asked the developer that these airports be included in the conversation to help protect the lives of pilots.

Mr. Nagy explained his statement that “this is going to happen” in the context that if this project does not move forward, the tract will flood and will not be reclaimed (leaving open water). The JPA could move forward and get stopped in the CEQA process, but tomorrow the levee could fail and there’d be 3,500 acres of water. Mr. Nagy explained that through a proactively managed transition, they could determine how best to configure the tract in a way to minimize as many issues as possible.

Responding to a question by Commissioner Randall, Mr. Nagy stated they have not had discussions with Travis AFB.

Responding to a question by Commissioner Seiden, Mr. Nagy stated to be extremely clear, there is no ability to reinforce or raise the levees. The US Army Corps of Engineers’ Sacramento River Flood Control project is designed such that this levee fails when water reaches a certain point. Little Egbert is at the bottom of the Yolo Bypass acting like a cork designed to pop out, or have its levees fail, when the water reaches a certain level during a flood event. This tract is specifically designed to fail during a flood, as per direction of Congress. Mr. Nagy stated this is one of the last reclaimed major tracts with a levee height restriction, asserting that it is a ticking time bomb and no landowner wants this responsibility anymore.

Responding to a question by Commissioner Sagun, Ms. Ferrario stated it is approximately 1,000 feet from the project to the existing Rio Vista Airport runway.

COMMISSIONER COMMENTS

Commissioner Sagun thanked the outgoing Commission Chair and Vice Chair for a great job. Commissioner DuClair agreed.

Chair Cook thanked the commission for placing their trust in her to be the next Chair.

ADJOURN

This meeting of the Airport Land Use Commission adjourned at 8:54 p.m. The next regular meeting is scheduled for July 14, 2022 at 7:00 p.m.