



Solano County
Airport Land Use Commission
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Steve Vancil
Chairman

MINUTES OF THE SOLANO COUNTY AIRPORT LAND USE COMMISSION Meeting of November 13, 2014

The meeting of the Solano County Airport Land Use Commission was held in the Solano County Administration Center, Board Chambers (1st floor), 675 Texas Street, Fairfield, CA 94533.

MEMBERS PRESENT: Commissioners Potter, Baldwin, Cavanagh, Seiden, DuClair, Randall and Chairman Vancil

MEMBERS ABSENT: Commissioner Baumler

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

Item Nos.

1, 2 & 3:

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

Item No. 4. Approval of the Agenda

The agenda was approved as prepared. Chairman Vancil noted that Item 9C is also a public hearing.

Item No. 5. Approval of the Minutes

The minutes of September 11, 2014 were approved with a correction to page 3. In the last paragraph where the word omission appears it should be changed to the word mission.

Item No. 6. Committee Reports

There were no committee reports.

Item No. 7. Public Comment

There was no one from the public wishing to speak.

Item No. 8. Old Business

There was no old business to discuss.

Item No. 9. New Business

A. Action Item: Conduct a Public Hearing to consider the consistency of ALUC-14-07 (High Winds Replacement Turbine) with the Travis Air Force Base and Rio Vista Airport Land Use Compatibility Plans: Applicant – County of Solano

Jim Leland briefly reviewed staff's written report. The report stated that NextERA is proposing to replace a single turbine in their High Winds project because that turbine suffered a catastrophic failure. The turbine is identified on the plans as J-63.

The High Winds project was approved by the County in 2002 and permitted the placement of 93 wind turbines in the Montezuma Hills. The approval permitted turbines up to 1.8 Megawatts in capacity. The project was built out with 90 Vestas V80 model turbines, including J-63, which was 351 feet tall. NextERA proposes to replace J-63 with a GE turbine which is 426 feet tall. Staff recommends the commission find the project consistent with the policies of the Travis Air Force Base and Rio Vista Airport Land Use Compatibility Plans.

In response to Commission Randall's inquiry, Mr. Leland stated that this was an isolated event affecting only one turbine. He noted that this happens every so often regardless of the manufacturer of the turbine.

Commissioner Randall wanted to know if there was a smaller turbine available that would be just as efficient. His concern was in looking at the bigger picture, and what the affect would be in the future if there are turbine failures and those turbines are replaced with bigger, taller turbines.

Mr. Leland stated that technology for the wind energy industry continues to permit larger turbines. They optimize the amount of power that can be generated because wind speed is higher the higher the turbine is off the ground. He said the trend is for the utility scale turbines to keep getting larger. There are smaller wind turbines available but they are generally not utility scale equipment. Mr. Leland said the issue of how to deal with these projects when their economic life is over will be something that will be addressed in the Travis Plan.

Commissioner Seiden stated that it would appear one way of approaching this might be to consider acceptance of this proposal with the stipulation that it would not set precedence for the commission to be required in the future to approve other exceptions.

Mr. Leland said that it would be appropriate if the commission wanted to make a statement while taking an action on this item to state their beliefs about additional applications that may or may not come forward. He reminded the commission that the Board of Supervisors only approved this specific exemption as being able to proceed at this time and have not opened the door to other turbines that may fail during this moratorium.

In response to Commissioner Potter, Mr. Leland explained that the Board approved an exemption to the moratorium only for this one specific project, and that action allows the applicant to file the project application and move through the hearing process.

Commissioner Potter stated that each time there is a turbine failure and the county has to go through this process it will be expensive for everyone involved. He wanted to know if there was any discussion recognizing the potential failures of other original turbines and their replacement. He noted that his concern is with height. He asked if there was any consideration of making this a unilateral decision within this complex rather than having the permittee return with individual applications.

Mr. Leland stated that no such decision was made. He explained that the Board did not want to encourage replacement of turbines with taller turbines and that this is an

exemption because the turbine failed. He said that when the Travis plan is updated it will address the issue as to what the rules are about replacing turbines in the Montezuma Hills. He said right now in the plan update the full spectrum of options are available. He noted that Travis staff has raised the concern of turbines being located within the Class D airspace and so that is a policy that will need to be addressed as well. He commented that there is going to be a lot of options in front of the commission next year with respect to this topic.

Commissioner DuClair wanted to know what the ground elevation of this replacement turbine will be and will the additional 100 feet be close to the restriction set for Travis radars.

Mr. Leland noted that the applicant provided the commission with a chart that shows the elevation above sea level of all the turbines including the replacement one. His recollection is that the total height above sea level for this replacement is 690 feet.

Commissioner Seiden stated that it is the commission's responsibility to protect the mission of the various airports in the county. He said that right now the focus is on Travis but this is certainly in Rio Vista's backyard. With respect to protecting that mission, he said that the two primary issues that seem to reappear are obstacle clearance and radar detection. He said that this particular request is unlikely to have any significant impact on obstruction clearance but it does have at least some marginal impact upon radar probability of detection. He said that if these turbines are going to be updated over time, the inevitable impact it will have upon the overall probability of detection for the radar needs to be discussed in this plan update process.

Commissioner Cavanagh stated that as he understood it this was an insured catastrophic failure which is much different than failure coming from normal wear and tear which might result in machines simply being abandoned. So this is a true exception and probably rare and would not extrapolate across a whole field of turbines that are going to be replaced incrementally just because they are obsolete.

Mr. Leland confirmed that this was a very unusual event and not from normal wear and tear. He said that these turbines are only 10 years old. He did not know the failure rate, but he said that is very small.

Commissioner Randall said that the staff report indicates the entire turbine will be replaced and inquired if in the future there would be an option for having smaller turbines installed.

The applicant, Emre Ergas, NextERA Energy Resources, 700 Universe Blvd., Juno Beach, FL, stated that it depends upon the unique situation of the asset and the wind farm company. He explained that their company has certain agreements with various parties to sell the energy which require them to have a certain size machine otherwise it puts them in liability with other contracts.

Chairman Vancil opened the public hearing.

Mr. Ergas explained that the turbine failed in August of 2013. He said they understood the concern of the moratorium and of the county's, the Air Force, and the various airports concern on height, and that they have made a concerted effort to find a replacement V-80 turbine but found no viable option as a replacement. He said they are replacing the Vestas V80 1.8 megawatt machine with a GE 1.7 megawatt machine which

will be 90 feet taller. Mr. Ergas said the replacement turbine is very similar to the majority of the turbines that are currently in Solano County. He said the turbine will be at 693 feet above sea level. There are numerous turbines that are taller than the 693 feet so they do not believe they are going significantly above what is already in existence. Mr. Ergas said the failure was catastrophic and they would rather not have to replace any of their turbines; the process is lengthy, time consuming, and expensive. He stated they have time commitments tied to their insurance and have spent a fair amount of time working on getting an in-like replacement, but unfortunately they failed and now are asking for the commission's consideration.

Commissioner Potter asked Mr. Ergas if he would consider this replacement turbine as being of the most recent technology. He commented as to how new technology in Europe is trending toward stealth blades and are manufactured differently than the existing blades.

Mr. Ergas stated that the replacement turbine is of the most recent technology. He commented that he was not aware of the technology involving stealth blades.

Chairman Vancil stated that in terms of the electrical power generation, he believed that the replacement turbine will produce the same amount of electricity as the one it is replacing.

Mr. Ergas said that the existing machine is 1.8 megawatts and the replacement is 1.7 so they are very close in energy output. He said that it is the product that is the closest match to the existing turbines and power grid.

Since there were no further speakers, Chairman Vancil closed the public hearing.

A motion was made by Commissioner Potter and seconded by Commissioner DuClair to determine that the proposed NextERA High Winds Replacement Turbine Project is consistent with the policies of the Travis Air Force Base and Rio Vista Airport Land Use Compatibility Plans. The motion passed unanimously. (Resolution No. 14-06)

- B. Update:** Receive a report from the Chairman and staff on the Travis Air Force Base Land Use Compatibility Plan update, including work progress and advisory committee/group meetings

Chairman Vancil stated the Ad Hoc group, comprised of himself and Commissioners DuClair and Randall, met on September 22nd with county staff and Base personnel to review a number of issues, including the probability of detection. They had a good discussion about not only that issue but also looking at the max mission, capability of the base, and also helping to find the airport area of influence

Chairman Vancil noted that the second meeting of the Technical Advisory Committee (TAC) was held on November 5th. The committee consists of city planners from each city and county staff and they are working together with the consultant and Travis representatives. The committee is making good progress on flowing information to the consultant to get the plan update completed. Mr. Vancil noted that there has been a recent change in the consultant staffing but that it appears the process is still on schedule.

Chairman Vancil stated that the Renewable Energy Working Group (REWG) had their first meeting on November 6th with Vice-Chair Seiden helping to run the meeting.

Jim Leland stated that he believed the consultant will have a white paper on the Travis Plan update to staff right after the first of the year. He anticipated that in early March the commission will receive a preliminary presentation by the consultant with remarks and contributions from the two advisory committees.

Chairman Vancil stated that the group also talked about how to proceed forward with determining if wind turbines are a factor due to false targets. He spoke about the CRADA and the use of a filter model and how that model is used.

Commissioner Potter asked Chair Vancil if during their conversations they identified what they think the cause of the false targets might be.

Chairman Vancil said that the filter model is not completely 100% faithful. He said that most of the time the turbine will get filtered out through the electronic process but sometimes it does not. He remembered from the fieldtrip he attended that it appeared to him that the filtering process filters out about 90% of the false targets. He noted that a more pronounced effect exists when there is a strong wind blowing.

Commissioner DuClair stated that he enjoyed the presentation made by Travis staff. He said that they provided a tremendous amount of information that was very helpful in understanding the Travis mission. Mr. DuClair commented that he would like to see Travis remain in place for many years to come.

Commissioner Randall thanked Travis staff for their partnership, their involvement, and the information they provided. He said that he appreciates the base keeping the commission informed as to what is or is not working for them.

Lt. Col. Jason Torgerson, Director of Staff, 60th Air Mobility Wing, 400 Brennan Circle, Travis AFB, spoke with regard to the radar and false return issues. He explained in some detail how the radar detects its targets through a beam of energy and how movement is detected. He spoke to the new digital systems and how they are much more sensitive and explained the term "rag mapping" to help better identify objects.

Commissioner Seiden gave a brief update on the REWG. He said that the meeting was partly to familiarize some of the participants who had not been to previous meetings to the process. He said the consultant did a very nice job of explaining the process and outlining some of the basics such as the commission's responsibility to look for objects or in this case, towers exceeding 200 feet above ground level. He stated that there was some discussion and description of L Band, S Band, and X Band radars and their various capabilities. Mr. Seiden commented that it was more or less an introduction to what the renewable group would be doing as time went forward and to review the process.

- C. Action Item:** Consider authorizing the Director of Resource Management to apply for CalTRANS grant funds for the update to the Rio Vista Airport Land Use Compatibility Plan (Rio Vista Plan)

Mr. Leland briefly reviewed staff's written report. The Rio Vista Airport Land Use Compatibility 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. The ALUC reviewed the Master Plan and found that it was inconsistent with the 1988 Rio Vista Plan. This action set the stage for requiring an update. Until now, funds from CalTRANS have not been available to finance this needed update. The

recently approved 2015 Capital Improvement Plan from CalTRANS replenished the funding for airport planning and has made this project feasible at this time.

The Department of Resource Management is recommending that the Rio Vista Plan update also address the potential land use impacts of renewable energy projects, including both wind and solar. Staff believes that a comprehensive update of the Rio Vista Plan, including adequate CEQA review, will cost approximately \$160,000, which will include commitment of staff resources, specialized studies and the preparation of a CEQA document.

The California Department of Transportation (CalTRANS) has recently received authorization to resume the practice of making grant monies available to assist local communities in planning for compatible land uses around airports. These programs were frozen several years ago during the economic downturn in the U.S. The Department of Resource Management is recommending that the Commission authorize the Department to apply for an Acquisition and Development Grant in the amount of \$144,000 to be coupled with a local match of \$16,000.

Chairman Vancil noted that the Nut Tree Airport Land Use Compatibility Plan is also dated 1988 and has not been forgotten about. He said there are a couple of activities happening at the Nut Tree Airport that will probably cause them the need to update their master plan in the near future.

A motion was made by Commissioner DuClair and seconded by Commissioner Seiden to Authorize the Director of Resource Management to commence developing a work plan and funding request for updating the Rio Vista Plan, including the submittal of an application for grant funding to the California Department of Transportation (CalTRANS) for the preparation of the comprehensive update to the Rio Vista Plan. The motion passed unanimously. (Resolution No. 14-07)

D. Workshop: Conduct a workshop on the expansion of the Area of Influence for the Travis AFB Land Use Compatibility Plan

Jim Leland briefly talked about the modification to the Area of Influence for the Travis AFB Land Use Compatibility Plan and asked for feedback from the public and the commission. He noted that no action is required at this meeting. He said the proposed expansion to the Area of Influence will probably be scheduled before the ALUC at their December meeting.

Chairman Vancil stated that objects that are over 200 feet require an FAA determination of Hazard or No Hazard and so any object over 200 feet in the county will need to come before the commission for approval. He said the intent is to include this into the Travis plan especially as the update moves forward.

Commissioner Cavanagh commented that the way it is mapped on the Travis compatibility zone map the area where the 200 foot requirement is located is absolute, but asked under what authority does someone outside of that area but inside the county, have to apply.

Mr. Leland explained that the countywide review procedures state that any location in the county, 200 feet and above has to come before the commission for review.

Commissioner Cavanagh wanted to clarify that this is just a change in the map and there is no change in procedure and no impact on the number of applicants that are subject to the requirement.

Mr. Leland stated that all that is being done is mapping the review procedure requirement that already exists into the Travis plan document. The purpose is so when reading the plan it becomes clear that there is a review area for objects 200 feet and greater. Currently in the plan is the compatibility zone map which is an area smaller than the county. So unless someone would know to read the commission's countywide review procedures to see what might apply to their property they would miss that detail.

Commissioner Cavanagh asked if under the current map if there are different conditions or application procedure for outside the map area from those applicants that are inside the map area.

Mr. Leland explained that most of the activity that has come before this commission over that past 5 years has been outside the area of influence of Travis as it is currently mapped. He said the project tonight is also outside this mapped area of influence. He said that the county has brought to the ALUC applications for objects 200 feet and greater because the county is aware of the separate Review Procedures document. He said that not everyone who lives in the county is aware of that document and not every city remembers that it exists so it will make it easier if the map is changed to reflect the reality of what is required to be reviewed.

It was noted that this item will come back before the commission for action at their December 11th meeting.

E. Upcoming Meetings: General discussion of work items for upcoming meetings

Mr. Leland announced that the cities of Vacaville and Suisun City have filed general plan consistency determination applications with the county. He said staff would like to hold a workshop in December on each of those general plan items. It will allow those cities to present to the commission what the differences are in their new plan vs the last one that was before the commission. Mr. Leland said that staff will possibly bring those items back before the commission in January for formal consistency determination.

Mr. Leland commented that staff is also hoping to kick off the beginning of the Rio Vista Airport Land Use Compatibility Plan process in the spring.

Commissioner Cavanagh inquired as to why the commission would be reviewing consistency of the two general plans against the Travis plan when the plan is in the process of being updated.

Mr. Leland stated that it would be ideal to wait, but if the cities have their reasons for going forward with adopting their plans, the commission has no choice but to compare it to the plan that is in existence. It would mean that they are required to bring their document back within six months after the new Travis plan is adopted for consistency with the new plan.

Chairman Vancil commented that when the new Travis plan is adopted the various cities will need to come before the commission for consistency determination with that new plan. He noted that the cities of Vacaville and Suisun City have their own internal timeframe and to be responsive to them the commission needs to move forward with their proposals.

Mr. Leland said that most of the factors that the commission will be looking at when reviewing the two general plan amendments are likely not to change between the 2002 Travis plan and the 2015 plan, because the 2015 plan is generally focused on renewable energy land use issues. The areas that are acceptable for housing and commercial

development that are in the 2002 plan are not changing at the municipal level. The new Travis plan will not make those land uses more restrictive than they currently are.

Commissioner DuClair asked about ICON locating in Vacaville with half of their facility being within the county and the other half within the city. He asked if the county and city will have to work together on the Travis plan update for that facility and use of the airport.

Jim Leland said he believed that facility is currently zoned and planned properly in the city and did not believe there will be an impact. He said that the impact will be that the Nut Tree Airport Master Plan will need to be amended.

Chairman Vancil said that the Nut Tree Master Plan would be updated by the Nut Tree Airport. Once the master plan is finalized it would then come before the ALUC for review. He noted that it was only a few months ago that the Nut Tree Airport updated their master plan. The master plan came before the ALUC and the commission found it to be consistent, but it has now changed because of ICON and the Doolittle Center that are anticipated to locate in the area. The Nut Tree Master Plan would need to be updated first before the commission can look at updating the Nut Tree Airport Land Use Compatibility Plan.

Item No. 10. Adjournment

Since there was no further business the meeting was adjourned.