# Tulare County Comprehensive Airport Land Use Plan

Prepared for

**County of Tulare**
**Airport Land Use Commission**

Prepared by

**Aries Consultants Ltd.**

**December 2012**

# TULARE COUNTY

# COMPREHENSIVE AIRPORT LAND USE PLAN

## Tulare County Airport Land Use Commission

## Adopted November 28, 2012

**BEFORE THE AIRPORT LAND USE COMMISSION**
**COUNTY OF TULARE, STATE OF CALIFORNIA**

| | | |
|---|---|---|
| **IN THE MATTER OF THE MITIGATED NEGATIVE DECLARATION FOR THE TULARE COUNTY COMPREHENSIVE AIRPORT LAND USE PLAN UPDATE** | ) ) ) ) ) | **RESOLUTION NO. 12-004** |

Resolution of the Airport Land Use Commission of the County of Tulare recommending the adoption of the Mitigated Negative Declaration for the Tulare County Comprehensive Airport Land Use Plan Update.

**WHEREAS**, the Tulare County Airport Land Use Commission considered a Mitigated Negative Declaration for the adoption of the Tulare County Comprehensive Airport Land Use Plan Update at a duly advertised public hearing held on November 28, 2012, at which time oral and documentary evidence was presented; and

**WHEREAS**, the Airport Land Use Commission has given notice of the proposed amendment to the Tulare County Comprehensive Airport Land Use Plan as provided in Sections 65090 and 65091 of the Government Code of the State of California and as provided for in the County's California Environmental Quality Act Guidelines; and

**WHEREAS**, staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan Update to assure action consistent with the procedures and purposes set forth in the California Government Code, California Public Utilities Code, and the Tulare County General Plan; and

**WHEREAS**, a public notice was printed in the Visalia Times Delta on October 26, 2012 at least ten days prior to the public hearing and that hearing was held at which public testimony was received at a public hearing before the Airport Land Use Commission on November 28, 2012;

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Commission's public hearing was closed after public testimony was received on November 28, 2012; and

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Plan is a policy document that works with affected jurisdictions to implement the safety, noise, height and overflight policies in areas of close proximity to airports; and

**WHEREAS**, at said public hearing the Airport Land Use Commission considered the staff report contained which is maintained by the County and incorporated herein by reference along with evidence and testimony at said hearing; and the recommended action to adopt the Mitigated Negative Declaration; and

**WHEREAS**, prior to said hearing, the Tulare County Airport Land Use Commission sought out and incorporated public input throughout the preparation of the Update. As part of the public outreach and participation efforts, the County met with the affected cities and airports and held a public workshop "Working Draft" meeting on July 27, 2011 to solicit public comments on the plan; and

**WHEREAS**, the County circulated the plan and the Mitigated Negative Declaration for public review from October 15, 2012 through November 27, 2012; and

**WHEREAS**, during the review period, the Tulare County Airport Land Use Commission received nine public comments on the plan and Mitigated Negative Declaration; and

**WHEREAS**, the Tulare County Airport Land Use Commission responded to the public written comments submitted on the plan and Mitigated Negative Declaration which are incorporated herein by reference; and

**WHEREAS**, the Airport Land Use Commission recognizes the need and desirability to conduct reviews of, and consider amendments to, the Tulare County Comprehensive Airport Land Use Plan to accommodate the changing needs of the County, surrounding communities, and the aeronautical industry; and

**WHEREAS**, staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan Update and the Mitigated Negative Declaration to assure action consistent with the procedures and purposes set forth in the California Government Code and Public Utilities Code; and

**WHEREAS**, the Airport Land Use Commission has reviewed and considered the information in the Mitigated Negative Declaration and reviewed the oral and written comments up to the time of the adoption of this resolution; and

**WHEREAS**, this action is taken to all applicable procedures required by state law and the County of Tulare; and

**WHEREAS**, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare; and

**NOW, THEREFORE, BE IT RESOLVED** as follows:

A. The Airport Land Use Commission hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full,

B. The Airport Land Use Commission opened the Public Hearing and received a staff presentation on the Tulare County Comprehensive Airport Land Use Plan Update and the Mitigated Negative Declaration prepared for the project,

C. The Airport Land Use Commission has received public comment and testimony regarding adoption of the Mitigated Negative Declaration for the Proposed Tulare County Comprehensive Airport Land Use Plan Update,

D. The Airport Land Use Commission Closed the Public Hearing,

E. The Airport Land Use Commission hereby adopts the Mitigated Negative Declaration for the Tulare County Comprehensive Airport Land Use Plan Update with subject modifications as identified at the Public Hearing.

The foregoing resolution was adopted upon motion of Commissioner Elliott, seconded by Commissioner Millies, at a meeting of the Airport Land Use Commission on the 28th day of November, 2012 by the following roll call vote.

AYES: Gong, Millies, Elliott, Dias, Whitlatch, Pitigliano, Norman

NOES: None

ABSTAIN: None

ABSENT: Aguilar, Silveria

TULARE COUNTY AIRPORT LAND USE COMMISSION

Michael C. Spata, Secretary

**BEFORE THE AIRPORT LAND USE COMMISSION**
**COUNTY OF TULARE, STATE OF CALIFORNIA**

| | | |
|---|---|---|
| **IN THE MATTER OF THE TULARE COUNTY COMPREHENSIVE AIRPORT LAND USE PLAN UPDATE** | ) ) ) ) ) | **RESOLUTION NO. 12-005** |

Resolution of the Airport Land Use Commission of the County of Tulare recommending the adoption of the proposed Tulare County Comprehensive Airport Land Use Plan, with modifications described in greater detail below.

**WHEREAS**, the Tulare County Airport Land Use Commission has initiated action to amend the Tulare County Comprehensive Airport Land Use Plan pursuant to Division 9, Chapter 4, Article 3.5 of the Public Utilities Code of the State of California; and

**WHEREAS**, Tulare County ("County") is a political subdivision of the State of California, and is located in California's central valley bounded by Fresno County to the north, Kern County to the south, Inyo County to the east, and Kings County to the west; and

**WHEREAS**, the Airport Land Use Commission has given notice of the proposed amendment to the Tulare County Comprehensive Airport Land Use Plan as provided in Sections 65090 and 65091 of the Government Code of the State of California and as provided for in the County's California Environmental Quality Act Guidelines; and

**WHEREAS**, staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan to assure action consistent with the procedures and purposes set forth in the California Government Code, California Public Utilities Code, and the Tulare County General Plan; and

**WHEREAS**, a public notice was printed in the Visalia Times Delta on October 26, 2012 at least ten days prior to the public hearing and that hearing was held at which public testimony was received at a public hearing before the Airport Land Use Commission on November 28, 2012;

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Plan is the County's principal airport land use policy document to guide growth, development, and conservation around airports; and

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Plan is a policy document that works with affected jurisdictions to implement the safety, noise, height and overflight policies in areas of close proximity to airports; and

**WHEREAS,** the following two airports of the County's prior Comprehensive Airport Land Use Plan are deleted with the 2012 adoption of Tulare County Comprehensive Airport Land Use Plan Update:

- Alta Airport
- Harmon Field ; and

**WHEREAS,** at said public hearing the Airport Land Use Commission considered the staff report contained which is maintained by the County and incorporated herein by reference along with evidence and testimony at said hearing; and the recommended action to adopt the Mitigated Negative Declaration; and

**WHEREAS,** prior to said hearing, the Tulare County Airport Land Use Commission sought out and incorporated public input throughout the preparation of the Update. As part of the public outreach and participation efforts, the County met with the affected cities and airports and held a public workshop "Working Draft" meeting on July 27, 2011 to solicit public comments on the plan; and

**WHEREAS,** the Tulare County Airport Land Use Commission after receiving public input and written comments incorporated three minor amendments from the circulated plan; and

**WHEREAS,** said minor amendments consisted of (1) Amending footnote Number 10 in Land use Table 3-1 (Page 3-6) stating that "new residential development is an undesirable land use within Safety Zones 1-5;" (2) Adding footnote Number 19 (Page 3-7) stating that "Commercial Retail (Aircraft Fuel, Aircraft Sales, Aircraft Repairs, and Aircraft Flying Schools are a compatible use on airport property within safety zones 6; and (3) Amending Note B on Table 3-2 (Page 3-8) stating that "Noise and overflight should be considered. Affected jurisdictions can adopt greater density restrictions through their general plan and/or zoning;" and

**WHEREAS,** the Airport Land Use Commission recognizes the need and desirability to conduct reviews of, and consider amendments to, the Tulare County Comprehensive Airport Land Use Plan to accommodate the changing needs of the County, surrounding communities, and the aeronautical industry; and

**WHEREAS,** staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan Update to assure action consistent with the procedures and purposes set forth in the California Government Code and Public Utilities Code; and

**WHEREAS,** this action is taken to all applicable procedures required by state law and the County of Tulare; and

**WHEREAS**, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare; and

**NOW, THEREFORE, BE IT RESOLVED** as follows:

A. The Airport Land Use Commission hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full,

B. The Airport Land Use Commission opened the Public Hearing and Received a Staff Presentation on the Tulare County Comprehensive Airport Land Use Plan Update and the Mitigated Negative Declaration prepared for the project,

C. The Airport Land Use Commission has received public comment and testimony regarding adoption of the Proposed Tulare County Comprehensive Airport Land Use Plan Update,

D. The Airport Land Use Commission Closed the Public Hearing,

E. The Airport Land Use Commission hereby adopts the Tulare County Comprehensive Airport Land Use Plan Update with subject modifications as identified at the Public Hearing.

The foregoing resolution was adopted upon motion of Commissioner Dias, seconded by Commissioner Whitlatch, at a meeting of the Airport Land Use Commission on the 28th day of November, 2012 by the following roll call vote.

AYES: Gong, Millies, Elliott, Dias, Whitlatch, Pitigliano, Norman

NOES: None

ABSTAIN: None

ABSENT: Aguilar, Silveria

TULARE COUNTY AIRPORT LAND USE COMMISSION

Michael C. Spata, Secretary

# TULARE COUNTY

# COMPREHENSIVE AIRPORT LAND USE PLAN

**Prepared by the**

**County of Tulare Resource Management Agency**

**Planning Branch**

**and**

**Aries Consultants Ltd.**

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# SECTION 1
# INTRODUCTION

## 1.1 PURPOSE

Article 3.5 of the California Public Utilities Code (PUC) requires each county to create an airport land use commission and for this commission to prepare and adopt an airport land use plan for each public-use airport in the county. In accordance with this mandate, the Tulare County Airport Land Use Commission (ALUC) has prepared this Comprehensive Airport Land Use Plan (CALUP) to serve the following public purposes:

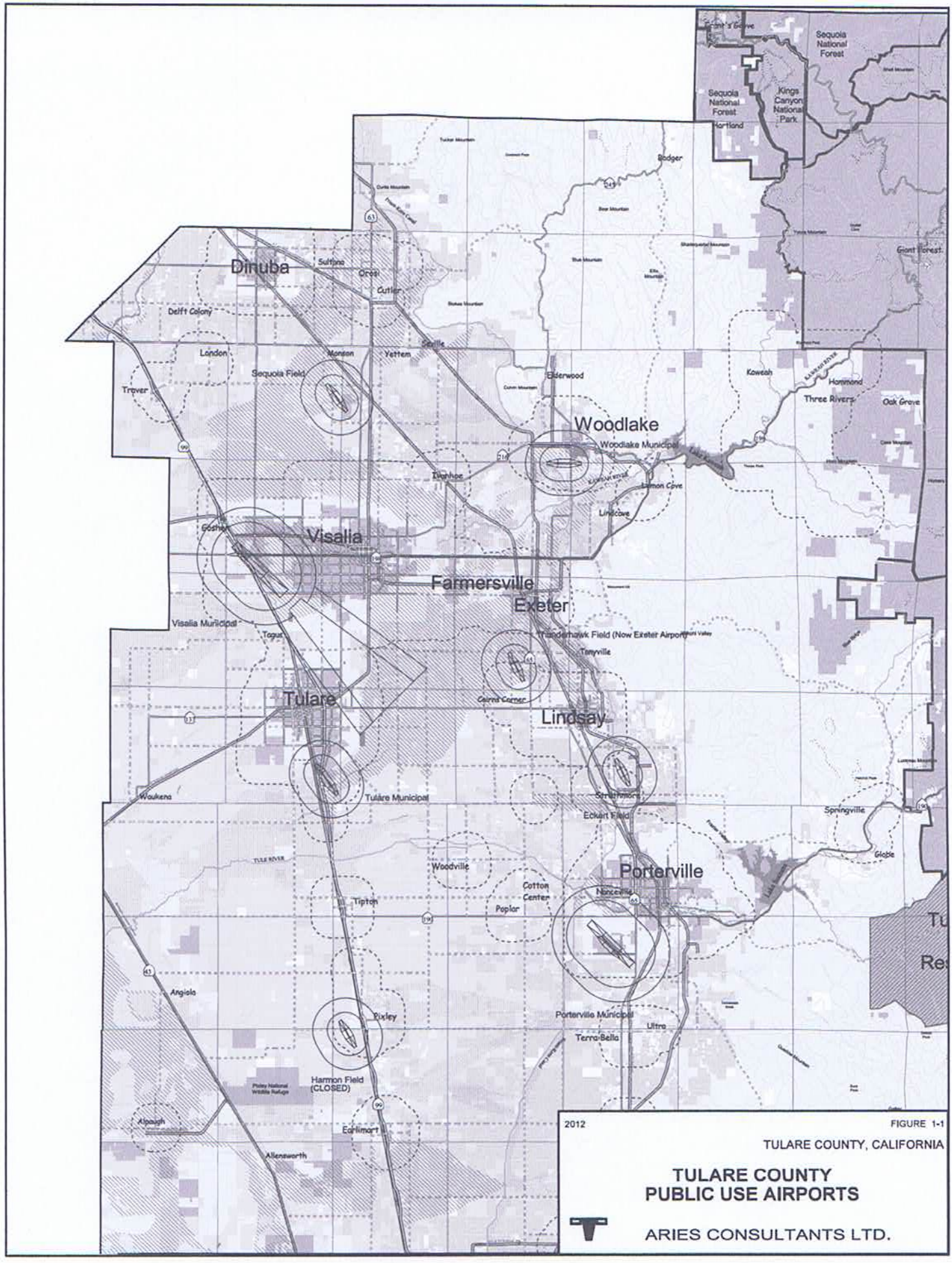
- To protect the long term economic viability of public-use airports in Tulare County by ensuring compatible land uses in the vicinity of the each airport to the extent that lands in these vicinity areas are not already devoted to incompatible uses;
- To promote the safety and well being of the public by ensuring adoption of land use regulations which minimize exposure of persons to hazards associated with the operation of these airports including aircraft accidents and aircraft noise;
- To provide a set of policies and criteria to assist the ALUC in evaluating the compatibility and consistency of proposed local actions with respect to the CALUP; and
- To provide guidance to local agencies in presenting proposed local actions to the ALUC for review.

Following adoption of the CALUP each affected jurisdiction is required to adjust their general plan and zoning ordinance to be consistent with the CALUP, or take special steps to overrule the ALUC's actions. While the CALUP is not a specific element of a general plan, current statutes place heavy emphasis on the general plan and zoning ordinance as essential components of the airport compatibility planning process. Since the ALUC's role is advisory in nature, the policies represented in the CALUP establish the criteria and procedures by which local jurisdictions can continue to do compatibility planning on their own.

## 1.2 BACKGROUND

A public-use airport is a publicly or privately owned airport that offers the use of its facilities to the public without prior notice, invitation, or clearance, and has been issued a California Airport Permit by the California Department of Transportation (Caltrans) Division of Aeronautics. There are seven airports in Tulare County that meet the "public use" criterion and their locations are illustrated on Figure 1-1. These public-use airports include:

- Visalia Municipal Airport
- Porterville Municipal Airport
- Tulare Municipal Airport – Mefford Field
- Woodlake Municipal Airport
- Sequoia Field


Sequoia National Forest
Kings Canyon National Park
Sequoia National Forest
Hartland
Badger
Giant Forest
Dinuba
Sultana
Orosi
Cutler
Delft Colony
London
Monson
Yettem
Seville
Sequoia Field
Traver
Elderwood
Kaweah
Hammond
Three Rivers
Oak Grove
Woodlake
Woodlake Municipal
Lake Kaweah
Exeter
Lemon Cove
Lindcove
Visalia
Farmersville
Visalia Municipal
Tagus
Thunderhawk Field (Now Exeter Airport)
Tooleville
Tulare
Cairns Corner
Lindsay
Waukena
Tulare Municipal
Strathmore
Eckert Field
Springville
Globe
Woodville
Porterville
Cotton Center
Poplar
Tipton
Nanceene
Angiola
Pixley
Porterville Municipal
Ultra
Terra-Bella
Harmon Field (CLOSED)
Pixley National Wildlife Refuge
Alpaugh
Earlimart
Allensworth
2012
FIGURE 1-1
TULARE COUNTY, CALIFORNIA
TULARE COUNTY
PUBLIC USE AIRPORTS
ARIES CONSULTANTS LTD.

- Exeter Airport (formerly Thunderhawk Field)
- Eckert Field

Two airports included in the previous edition of this CALUP, specifically Alta Airport and Harmon Field, have been permanently closed and have been removed from this plan.

State law, in Section 21675(a) of the PUC, requires that an airport land use plan be based on adopted airport master plans or Caltrans approved alternatives. This and other information unique to each airport is documented in Section 5.

Although this CALUP was last amended in November 2008, the changes that were made at that time were applicable to only one airport. In the period since 1995, when the CALUP was more significantly revised, there have been several changes in the laws and guidelines that ALUC's use in developing and adopting airport land use plans. The following changes since 1995 have all contributed to the need to revise this CALUP and therefore shape its contents:

- State law (Section 21674.7 of the PUC) mandates that ALUC's and local agencies consider the planning guidelines presented in the Caltrans publication *California Airport Land Use Planning Handbook* (herein referred to as the Caltrans *Handbook).* Since 1995 Caltrans has published three editions of the *Handbook*, the most recent dated October 2011. Users of this CALUP who want a more in-depth understanding of the findings and policies presented herein can view or download the October 2011 *Handbook* from the Caltrans Division of Aeronautics website.
  http://www.dot.ca.gov/hq/planning/aeronaut/documents/alucp/AirportLandUsePlanningHandbook.pdf
- In 1994 (Chapter 438, Statutes of 1994), the California Environmental Quality Act (CEQA) was amended to require that guidelines presented in the Caltrans *Handbook* be considered when evaluating the environmental impacts of new projects. Since the 1995 CALUP was out-of-date with respect to the *Handbook*, there was the potential that the lack of consistency between them created impacts that require stop-gap, project unique, mitigation measures. Updating the CALUP avoids this piecemeal approach to ALUC policy.
- Changes in CEQA resulting from case law decisions (specifically *Muzzy Ranch Co. v. Solano County Airport Land Use Commission, California Supreme Court, September 12, 2007*) have confirmed that adoption of airport land use plans, such as the CALUP, are a "project." This decision places an additional burden on ALUC's to achieve consistency with other adopted plans and, if not achieved, to document in the various CEQA reports what impacts result and what mitigation measures are required.
- The Federal Aviation Administration (FAA) has amended regulations pertaining to obstructions in navigable airspace. These federal aviation regulations (FAR) previously known as FAR Part 77, "*Objects Affecting Navigable Airspace*" were amended effective January 18, 2011 to incorporate case law and various legislative actions. The new FAR Part 77 has been renamed "*Safe, Efficient Use, and Preservation of the Navigable Airspace.*" The Tulare County ALUC and several communities who have incorporated FAR Part 77 in their zoning regulations rely on this regulation as the basis for height restrictions around airports, as explained further in Section 3.2.
- Eight San Joaquin Valley Regional Planning Agencies (local Councils of Government - COGs) came together in 2005 to initiate a regional planning process known as the San Joaquin Valley Blueprint. This effort reflects an increasing need to address population and economic growth and manage resources on a regional scale. Out of this effort came 12 Smart

Growth Principles that were adopted by each of the Regional Planning Agencies. In the next phase of the Blueprint process these agencies will begin implementing the 12 Smart Principles into local planning practices. Since Tulare County ALUC policies are reflected in the general plans and zoning ordinances of the County and local communities, ALUC policies need to be consistent with the San Joaquin Valley Blueprint.

- State law, in Section 21675(b) of the PUC, provides that an ALUC may include federal military airports in an airport land use plan. Although there are no federal military airports in Tulare County there are a number of such airports nearby and aircraft operating from those facilities utilize airspace over the southeastern part of the County. As a consequence, Tulare County has been involved in what is commonly referred to as the "R-2508 Complex Joint Land Use Study." The Joint Land Use Study (JLUS) is a collaborative planning effort between active military installations, surrounding counties and cities, and other affected agencies. The R-2508 Complex includes three military installations: Naval Air Weapons Station (NAWS) China Lake, Edwards Air Force Base (AFB) and Fort Irwin / National Training Center (NTC). The R-2508 Complex provides the largest single area of special use airspace over land in the United States, covering a land area of 20,000 square miles. However, none of the affected airspace falls within the influence areas of Tulare County's public-use airports and thus, while many overflight policies in this CALUP are similar to and generally compatible with those of the R-2508 JLUS plan, the ALUC has determined that the Tulare County General Plan and Zoning Ordinance (Ordinance No. 352) is the more appropriate vehicle to implement the R-2508 JLUS policies. In this context, the CALUP can serve as a guide for additional local regulations, if required.
- In 2000 the *Visalia-Dinuba School of Aeronautics*, which was located at Sequoia Field during World War II, was listed on the National Register of Historic Places, as well as on the California Register of Historic Resources. The airport was used during World War II as a civilian owned and operated training school for military pilots. The "*Sequoia Field/Visalia-Dinuba School of Aeronautics*," includes 35 resources (buildings and other improvements), many of which are located within the Tulare County Sheriff's Department Vocational Training and Adult Correctional Center. Five resources are located within the aviation boundaries of the Airport: Resource No. 31, the South Hangar; Resource No. 32, the Control Tower; Resource No. 33, Flight Office; Resource No. 34, the North Hangar and Resource No. 35, the Runway and Parking Apron. The ALUC recognizes the need to protect these resources.

The ALUC and this plan have a number of other limitations. State law does not provide the ALUC with authority over airport operations and consequently this plan applies only to the relationship between the County's public-use airports and the land uses surrounding them. This plan is not a development plan and therefore does not define specific land uses for any parcel. Furthermore, State law limits the ALUC policies to lands that are not already devoted to incompatible uses. Consequently, while the ALUC planning processes provides a means to recognize existing incompatible land uses, the ALUC has no authority to declare them as non-conforming or to remove such uses. However, the ALUC can restrict the further development of such incompatible uses as discussed further in Section 4.

# SECTION 2
# LAND USE POLICIES

## 2.1 INTRODUCTION

The land use policy statements found in this chapter provide the core of this land use compatibility plan and work together with the land use compatibility matrix in Section 3 and specific airport drawings and community information presented in Section 5. The land use policy statements reflect previous land use compatibility planning efforts by the Tulare County ALUC, as well as guidance found in the October 2011 Caltrans *Handbook*, current Federal Aviation Administration (FAA) guidance regarding airport land use compatibility planning, and other reference sources as noted throughout. Additional references pertaining to airport land use compatibility can be found in the Caltrans *Handbook* which can be viewed or downloaded from the Caltrans Division of Aeronautics web site.

The ALUC is an advisory body, as noted previously, and policies in this CALUP provide the basis for local agencies to conduct airport land use compatibility planning and to interact with the ALUC. Policies are established for determining the airport influence area, height restriction zones, safety zones, aircraft noise restriction areas and aircraft overflight areas. Policies are also established that spell out the statutory and working relationship between the ALUC, Tulare County and local agencies.

The most significant change in policy from previous editions of this CALUP is associated with the airport safety zones, discussed in Section 2.4. Previously the ALUC used FAR Part 77 imaginary surfaces projected onto the ground plane as the basis for airport safety zones. Ongoing research of aviation accidents and their location relative to a runway by the Caltrans Division of Aeronautics has determined that aircraft safety risks can be represented through a more compact arrangement of safety zones tailored to the risks presented by each runway.

## 2.2 AIRPORT INFLUENCE AREA

### 2.2.1 ALUC Objectives and Supporting Guidelines

ALUC policies are limited to areas that in some way are affected by airport operations. Under Section 21675(c) of the PUC, the ALUC has the responsibility to set these planning boundaries. Based on the fact that its policies are limited to height, safety, noise and overflight, the planning area for each airport necessarily reflects the limits of these policies.

Section 21675(a) of the PUC requires that an airport land use plan be based on an adopted airport master plan which should contain FAA-approved forecasts of aviation demand for a 20-year period. In situations where an airport master plan is not available (such as for Sequoia Field, Exeter Airport and Eckert Field), Caltrans Division of Aeronautics must approve the available alternatives on which to base the airport land use plan, which may or may not include a forecast of aviation demand. The CEQA documentation associated with each airport master plan is another source of information and under Chapter 438, Statutes of 1994, this documentation must

consider the standards developed in the Caltrans *Handbook* and the policies adopted by the ALUC in its airport land use plan. The CEQA documentation is uniquely required to identify the impacts of the airport master plan project including: airport noise, land use compatibility and other impacts. In order for the ALUC to meet its statutory obligations (as detailed in Article 3.5 of the California Public Utilities Code), information from the airport master plan or the approved alternative is combined with any associated CEQA documentation, and any special aircraft noise studies accomplished by local governments. Together, such documentation forms the basis for this airport land use plan and delineation of each airport influence area.

State-wide policies pertaining to the location of new schools (including public, private and charter schools for kindergarten through 12th grade, as well as community colleges) may apply to areas that fall outside of the ALUC's defined Airport Influence Area. State Education Code Section 17215 requires that, before acquiring title to or leasing property for a new school site situated within two miles of an airport runway, a school district must notify the Department of Education. The Department of Education then notifies Caltrans, which is required to investigate the site and prepare a written report. If Caltrans does not favor acquisition of the site for a school, no state or local funds can be used for site acquisition or building construction on that site. State Education Code Section 81033 establishes similar requirements for community college sites. Finally, PUC Section 21655 also prescribes similar requirements for any proposed property acquisition or construction by a state agency within two miles of an airport runway.

In addition to the ALUC's responsibilities under Section 21675(c) of the PUC, other laws rely on the ALUC's policies. The California Public Resources Code (PRC) provides several references to an "airport influence area" when determining the applicability of certain laws. These laws do not identify a specific airport influence area, but instead are intended to refer to the planning area defined by each ALUC in their airport land use compatibility plan.

### 2.2.2 Airport Influence Area Findings

To be consistent with PUC and PRC requirements, the Tulare County ALUC makes the following findings:

a. The Airport Influence Area shall be an area that is inclusive of all of the various restriction zones created for managing airport land use compatibility. Specifically these include:

   - Airport height restriction zones
   - Airport safety zones
   - Aircraft noise restriction zones
   - Aircraft overflight zones
   - Any proposed public, private or charter school site, or community college site, within two miles of the airport runway at one of the County's public-use airports.

b. Airport master plans alone may not be sufficient to meet ALUC responsibilities with respect to aircraft noise. Consequently, the ALUC may have to rely on other documentation, including CEQA documentation associated with the airport master plans or General Plan Noise Elements, to determine noise restriction zones. In the absence of other relevant and qualified sources, the ALUC may need to develop its own interpretation of aircraft noise based on the policies presented in Section 2.5 (specifically see Policy 2.5.3.d).

### 2.2.3 Airport Influence Area Policies

a. It shall be the policy of the Tulare County Airport Land Use Commission that an Airport Influence Area be established for each public-use airport in Tulare County.

b. The Airport Influence Area for each airport shall be based first upon the outer limits of the "Conical Surface" as defined in Federal Aviation Regulations (FAR) Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, as applied to each airport. If aircraft noise forecasts (as represented by a set of aircraft noise exposure contours prepared in accordance with policies defined further in Section 2.5) exceed 60 dB Community Noise Equivalent Level (CNEL) and project outside the FAR Part 77 Conical Surface, the Airport Influence Area shall be modified to include the area within the 60 dB CNEL aircraft noise exposure contour that projects beyond the Conical Surface. The Airport Influence Areas for Tulare County's public-use airports are illustrated on the following figures in Section 5:

| Airport | Figure |
|---|---|
| Visalia Municipal Airport | VIS-2 |
| Porterville Municipal Airport | PTV-2 |
| Tulare Municipal Airport – Mefford Field | TLR-2 |
| Woodlake Municipal Airport | WDL-2 |
| Sequoia Field | SEQ-2 |
| Exeter Airport | EXE-2 |
| Eckert Field | ECK-2 |

c. The location of future school sites cannot be determined with certainty until the appropriate local agency (local school district, including charter schools, or community college district) or private school entity determines its service area and selects a site. Similarly, the location of State agency service centers or facilities depends upon changing demographic trends. If that site meets the "within two miles of an airport runway" criteria established by the State Education Code or PUC, as noted in the discussion in Section 2.2.1 above, then the ALUC shall be notified and if the proposed site falls outside the applicable Airport Influence Area (as defined in Section 2.2.3.b above) the Airport Influence Area shall be considered to be automatically modified to include the proposed site until such time as the ALUC review is completed. The ALUC shall require the local or state agency/private entity to submit appropriate information to it as part of the ALUC review (see discussion in Section 4.2.3), including the Caltrans investigation report required by the State Education Code or PUC.

d. Land use compatibility within the Airport Influence Area shall be defined through a set of tables to be identified as the Tulare County Land Use Compatibility Matrix. The Tulare County Land Use Compatibility Matrix is found in Section 3 of this plan. The Land Use Compatibility Matrix shall consist of two tables representing: 1) land use compatibility ratings within established airport safety and height restriction zones; 2) residential and non-residential intensity standards. Specific policy issues associated with each land use type, if applicable, shall be handled as footnotes to these tables. Policy matters that are unique to a specific airport are documented in Section 5. For example, Sequoia Field has a portion of the Airport that is a registered, and thus protected, historical site. Policy decisions that may pertain to a specific project that is unique to a particular airport are documented in the same way.

## 2.3 AIRPORT HEIGHT RESTRICTION ZONES

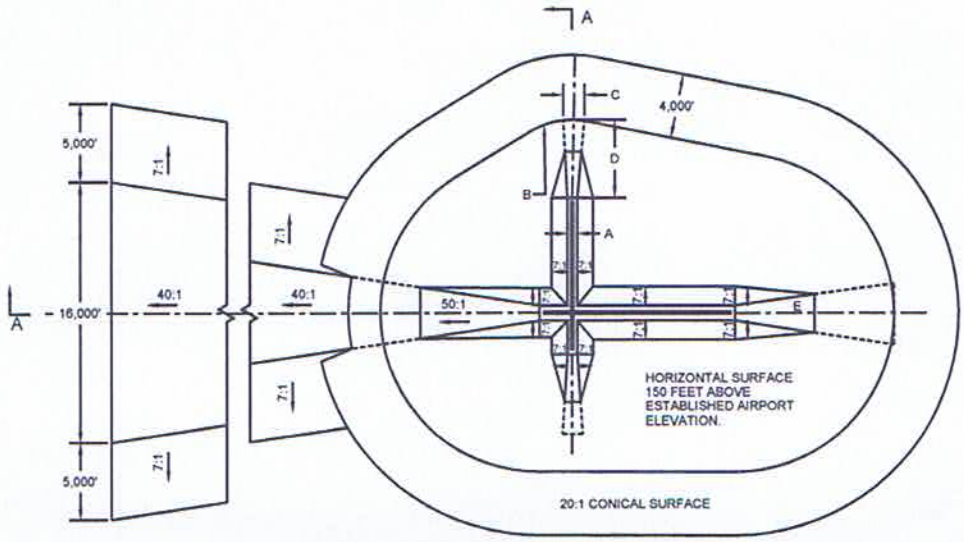
### 2.3.1 ALUC Objectives and Supporting Guidelines

Height restrictions are necessary within the Airport Influence Area to ensure that tall objects do not impair flight safety or decrease the operational capability of County airports by restricting airspace available for aircraft during take off and landing maneuvers. To protect the navigable airspace within each Airport Influence Area height restriction zones are established so that tall objects are either properly located and marked in accordance with Federal Aviation Administration (FAA) requirements or are otherwise restricted. The objective of these height restriction zones is to avoid development of land use conditions that may pose a hazard to flight and thereby increase the risk of an accident.

The FAA determines navigable airspace and deals with objects that impose on that airspace through Federal Aviation Regulation (FAR) Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*. Objects can be any object of natural growth, terrain, permanent or temporary construction, including equipment or apparatus of a permanent or temporary character. The most relevant parts of this regulation are those that establish standards for determining objects that are obstructions in navigable airspace and the requirements for notice to the FAA Administrator of certain proposed construction or alteration within the vicinity of an airport.

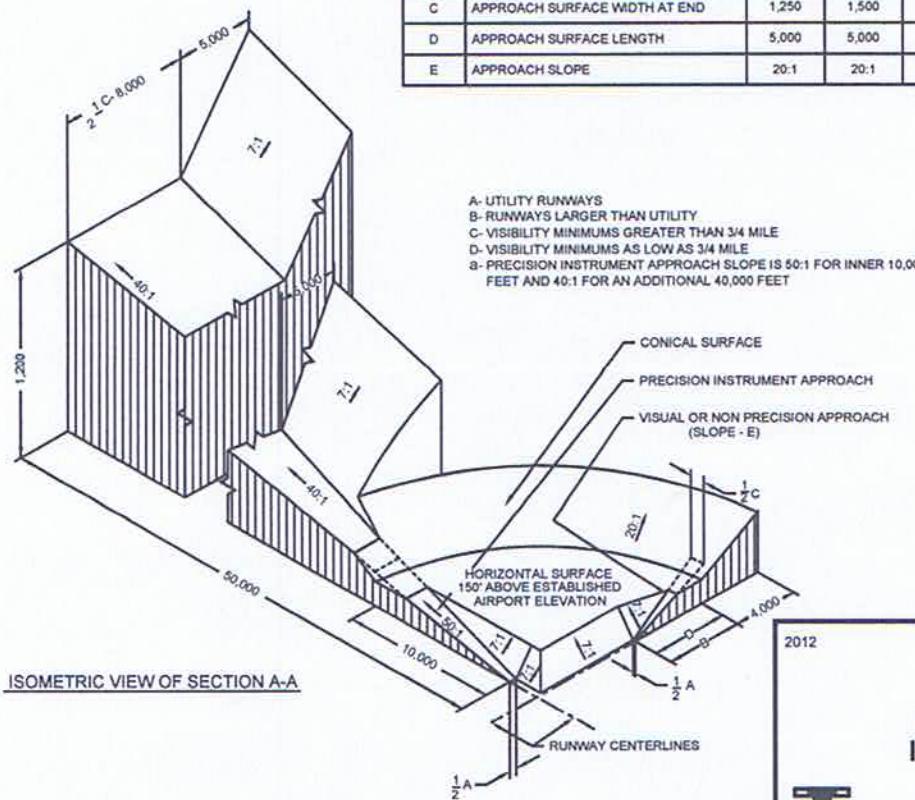
With regard to determining obstructions in navigable airspace, FAR Part 77 establishes a set of imaginary surfaces, the dimensions of which are based on the particular characteristics of each airport. These imaginary surfaces and their relationships are illustrated on Figure 2-1 and include the following:

- ***Primary Surface*** - A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway.
- ***Approach Surface*** - A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.
- ***Transitional Surface*** - These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 feet horizontal to 1 foot vertical from the sides of the primary surface and from the sides of the approach surfaces.
- ***Horizontal Surface*** - a horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway (a point on the extended runway centerline 200 feet beyond the physical end of a runway) and connecting the adjacent arcs by lines tangent to those arcs.
- ***Conical Surface*** - a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontal to 1 foot vertical for a horizontal distance of 4,000 feet.




| DIM | ITEM | DIMENSIONAL STANDARDS (FEET) | | | | | |
|---|---|---|---|---|---|---|---|
| | | VISUAL RUNWAY | | NON - PRECISION INSTRUMENT RUNWAY | | | PRECISION INSTRUMENT RUNWAY |
| | | A | B | A | B | | |
| | | | | | C | D | |
| A | WIDTH OF PRIMARY SURFACE AND APPROACH SURFACE WIDTH AT INNER END | 250 | 500 | 500 | 500 | 1,000 | 1,000 |
| B | RADIUS OF HORIZONTAL SURFACE | 5,000 | 5,000 | 5,000 | 10,000 | 10,000 | 10,000 |
| | | VISUAL APPROACH | | NON - PRECISION INSTRUMENT APPROACH | | | PRECISION INSTRUMENT APPROACH |
| | | A | B | A | B | | |
| | | | | | C | D | |
| C | APPROACH SURFACE WIDTH AT END | 1,250 | 1,500 | 2,000 | 3,500 | 4,000 | 16,000 |
| D | APPROACH SURFACE LENGTH | 5,000 | 5,000 | 5,000 | 10,000 | 10,000 | a |
| E | APPROACH SLOPE | 20:1 | 20:1 | 20:1 | 34:1 | 34:1 | a |

A- UTILITY RUNWAYS
B- RUNWAYS LARGER THAN UTILITY
C- VISIBILITY MINIMUMS GREATER THAN 3/4 MILE
D- VISIBILITY MINIMUMS AS LOW AS 3/4 MILE
a- PRECISION INSTRUMENT APPROACH SLOPE IS 50:1 FOR INNER 10,000 FEET AND 40:1 FOR AN ADDITIONAL 40,000 FEET




ISOMETRIC VIEW OF SECTION A-A

2012

FIGURE 2-1

TULARE COUNTY, CALIFORNIA

# TYPICAL FAR PART 77 IMAGINARY SURFACES

ARIES CONSULTANTS LTD.

In addition to the imaginary surfaces established for all airports under FAR Part 77, there are additional imaginary surfaces along selected aircraft approach and departure paths where the FAA has established instrument approach and/or departure procedures using FAA Order 8260.3B, "*United States Standard for Terminal Instrument Procedures*" (TERPS). These TERPS criteria are also used to conduct obstacle evaluations for instrument operations. At a given airport, elevations established through TERPS procedures may be at, above, or below the elevations established through FAR Part 77. The following airports in Tulare County have published instrument approach and/or departure procedures which are further discussed in Section 5:

- Visalia Municipal Airport
- Porterville Municipal Airport
- Tulare Municipal Airport – Mefford Field

Private and public development projects that propose structures whose heights penetrate either the FAR Part 77 imaginary surfaces or TERPS criteria must be reviewed by the ALUC to determine if the structures would constitute a hazard to air navigation. Because the ALUC has limited expertise to determine hazards to air navigation, the ALUC must rely on FAA analysis and advice. FAR Part 77, Paragraphs 77.5 through 77.11, establish a procedure for noticing the FAA Administrator if certain construction or alteration is proposed within the vicinity of an airport. Such notification is accomplished by filing FAA Form 7460-1, *Notice of Proposed Construction or Alteration*. Appropriate drawings and measurements that depict the location and proposed heights of buildings (including all roof-top appurtenances) should accompany the form. If a project proponent is required to file FAA Form 7460-1 based on the criteria below (as noted in Section 4.2.3.g), then the ALUC will not commence its project review without the FAA's review and determination. FAA requires that FAA Form 7460-1 must be filed for:

- Any construction or alteration of more than 200 feet in height above the ground level at its site.
- Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
  - 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway for airports with a runway more than 3,200 feet long.
  - 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway for airports with no runway longer than 3,200 feet.
  - 25 to 1 for a horizontal distance of 5,000 feet from the nearest point of the takeoff and landing area for helicopters.

The FAA will conduct an aeronautical study to determine if there is a hazard to air navigation. The FAA analysis produces either a "Determination of No Hazard to Air Navigation" or a "Determination of Hazard to Air Navigation." A determination of No Hazard to Air Navigation may also include the following information:

- Conditional provisions of a determination
- Limitations necessary to minimize potential problems, such as the use of temporary construction equipment
- Supplemental notice requirements, when required
- Marking and lighting recommendations, as appropriate

### 2.3.2 Height Restriction Findings

The Tulare County ALUC finds:

a. The FAA has set criteria for determining if an object is an obstruction to air navigation. These criteria are defined in FAR Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace,* and in FAA Order 8260.3B, "*United States Standard for Terminal Instrument Procedures*" (TERPS).

b. Navigable airspace is determined by elevations at or above the imaginary surfaces defined in FAR Part 77 and by the approach and departure paths defined through TERPS criteria and published by the FAA.

c. Permanent structures that penetrate FAR Part 77 imaginary surfaces and TERPS criteria could potentially interfere with an airport's operational capability, endanger pilots and passengers of aircraft utilizing the airport, surrounding communities and put at risk any persons occupying such structures.

d. Under FAR Part 77.9, the FAA has set guidelines for determining when a proposed construction or alteration requires filing FAA Form 7460-1, *Notice of Proposed Construction or Alteration.* In response to such filing, the FAA will conduct an aeronautical study to determine if a hazard to air navigation exists. Such a determination is important information for the ALUC to consider when reviewing projects that meet FAA's filing guidelines.

### 2.3.3 Height Restriction Policies

The following ALUC policies are established for airport height restriction zones:

a. The Tulare County ALUC adopts FAR Part 77 imaginary surfaces and the approach and departure flight paths described by TERPS and published by the FAA as the basis for determining height restrictions within the Airport Influence Area of each airport. Within the typical Airport Influence Area defined earlier in Section 2.2, the following FAR Part 77 imaginary surfaces are adopted:

   - Primary Surface
   - Approach Surface
   - Transitional Surface
   - Horizontal Surface
   - Conical Surface

b. The height restriction zones applicable to Tulare County's public-use airports are illustrated on the following figures in Section 5:

| Airport | Figure |
|---|---|
| Visalia Municipal Airport | VIS-4 |
| Porterville Municipal Airport | PTV-4 |
| Tulare Municipal Airport – Mefford Field | TLR-4 |
| Woodlake Municipal Airport | WDL-4 |
| Sequoia Field | SEQ-3 |
| Exeter Airport | EXE-3 |
| Eckert Field | ECK-3 |

c. It shall be the policy of the Tulare County ALUC that no structures shall be approved which project into the FAR Part 77 or TERPS imaginary surfaces of any public-use airport in Tulare County unless one or more of the following apply:

   1) The object would be substantially shielded by existing permanent structures or terrain in a manner such that it would clearly not affect the safety of air navigation;

   2) The FAA has conducted an aeronautical study as noted in paragraph "d" below and either determined that the object would not result in a hazard to air navigation or has made recommendations for the object's proper marking and lighting as an obstruction.

d. Any project within an Airport Influence Area that proposes object heights equal to or greater than the imaginary surfaces defined by FAR Part 77 or TERPS, as measured at the proposed site, and meeting the requirements for noticing FAA as defined under FAR Part 77.9, shall provide a completed FAA aeronautical study to the ALUC before a project review is initiated by the ALUC. FAA's determination is advisory to the ALUC and is not in and of itself an approval or disapproval of the project. Ultimately, the local permitting authority assumes full responsibility for any decisions to proceed with, alter, or deny a specific project.

e. In those situations where the Tulare County ALUC cannot determine whether a proposed project might affect navigable airspace, and the project does not otherwise require filing FAA Form 7460-1, *Notice of Proposed Construction or Alteration,* the project's proponent shall be required to submit the project to FAA for analysis as noted in paragraph "d" above.

f. In those situations were terrain intersects the FAR Part 77 imaginary surfaces and all structures would be above the FAR Part 77 or TERPS imaginary surfaces, the property owner shall by right have the ability to construct a single family dwelling with an allowed height up to 35 feet high as measured from the ground surface. Roof appurtenances, such as chimneys and antennae shall be included within this allowed height. However, the project's proponent shall be required to submit the project to the ALUC for review and, depending upon its location within the Airport Influence Area, may also need to submit the project to FAA for a determination as noted in paragraph "d" above.

## 2.4 AIRPORT SAFETY ZONES

### 2.4.1 ALUC Objectives and Supporting Guidelines

The ALUC is responsible for airport land use planning that balances the safety risks inherent to an airport against unnecessarily restricting a property owner's ability to develop or use his or her land. Issues such as bird strikes, pilot error, mechanical failure, and obstructions in navigable air

space, as well as large concentrations of people on the ground need to be considered in achieving this balance. Large land areas around airports are exposed to the possibility of aircraft accidents even with well-maintained aircraft and highly trained pilots. Despite stringent laws governing aircraft and airport maintenance and pilot training, history demonstrates that aircraft accidents are going to occur. Although the risk to persons on the ground being killed or injured in an aircraft accident is small, such an accident is a high-consequence event, and particularly so if the accident location coincides with a large concentration of persons on the ground. For this reason airport safety zones are needed to define the nature of the risk and to minimize the number of persons who may be exposed to air crash hazards.

To aid the determination of airport safety zones, Caltrans, Division of Aeronautics, has sponsored a continuing research effort that examines the characteristics of individual aircraft accidents and where, relative to a runway, such accidents occur. The results of this research are published in Appendix E of the October 2011 Caltrans *Handbook*, which can be found on the internet or by contacting the Caltrans Division of Aeronautics. Six safety zones where identified to represent the relative safety risks. These safety zones and their respective risk factors are summarized below:

- ***Safety Zone 1, Runway Protection Zone*** - The Runway Protection Zone (RPZ) is a trapezoidal area located immediately off each end of a runway. This area is defined by FAA who recommends it be a part of the airport property due to its very high risk factors. Aircraft over fly this area at altitudes below 200 feet. Caltrans research indicates that 20 to 21 percent of near-runway accidents occur in this zone.
- ***Safety Zone 2, Inner Approach/Departure Zone*** – The Inner Approach/ Departure Zone is a rectangular area located along the extended runway centerline immediately beyond the RPZ. Aircraft over fly this area at altitudes between 200 and 400 feet above the runway elevation. Caltrans research indicates that 8 to 22 percent of near-runway accidents occur in this zone.
- ***Safety Zone 3, Inner Turning Zone*** – The Inner Turning Zone is a cone shaped zone which lies on either side of the Inner Approach/Departure Zone. The sides of this zone are defined by a 20 or 30 degree angle, depending upon runway length, measured from the runway centerline. The apex of the cone is located on the runway at a distance from the runway end that is also dependent upon runway length. This zone encompasses locations where arriving aircraft are typically turning from the base to final approach legs of the standard traffic pattern and are descending from traffic pattern altitude or where departing aircraft normally complete the transition from takeoff power and flap settings to a climb mode and has begun to turn to their en route heading. Aircraft are less than 500 feet above the runway elevation. Caltrans research indicates that 4 to 8 percent of near-runway accidents occur in this zone.
- ***Safety Zone 4, Outer Approach/Departure Zone*** – The Outer Approach/Departure Zone is a rectangular area, which lies immediately beyond the Inner Approach/Departure Zones along the extended runway centerline. Particularly applicable for runways with straight-in instrument approach procedures, and other runways where straight-in or straight-out flight paths are common. Approaching and departing aircraft are usually at less than 1,000 feet above the runway elevation. Caltrans research indicates that 2 to 6 percent of near-runway accidents occur in this zone.
- ***Safety Zone 5, Sideline Zone*** – The Sideline Zone encompasses close-in areas lateral to the runway. These areas are typically within the airport property. The area is not normally over flown and the primary risk is from twin-engine aircraft losing directional control on takeoff. Caltrans research indicates that 3 to 5 percent of near-runway accidents occur in this zone.

- ***Safety Zone 6, Traffic Pattern Zone*** – The Traffic Pattern Zone is an oval shaped area centered on the extended runway centerline. This zone encompasses all other portions of the regular traffic patterns and pattern entry routes. This area generally has a low likelihood of accident occurrence at most airports, except where high concentrations of people present the potential for severe consequences. Caltrans research indicates that 18 to 29 percent of near-runway accidents occur in this zone, but that these numbers are misleading due to the large size of this zone.

In addition to the physical characteristics of an airport and airport traffic patterns noted earlier, there are a number of other factors that affect safety. These factors, including weather, hazardous wildlife, land use activities and exposure to large quantities of hazardous materials, may distract pilots or disrupt navigation equipment. In recent years the increasing emphasis on solar and wind energy has added yet another potentially hazardous land use due to the reflections, thermal currents and wind turbulence produced by these facilities. Although weather plays an important role, and is of particular concern in light of the Central Valley's perennial "tule fog", from a safety perspective the ALUC manages weather related issues largely by controlling obstacles in navigable airspace (See Section 2.3). However, land uses that attract large numbers of birds, such as large stock ponds, refuse stations, and sewage treatment plants increase the potential for bird strikes and can be addressed through ALUC safety policies. Similarly, land uses that create visual distractions for a pilot, interfere with electronic navigation equipment, create sudden changes in wind patterns, or expose large quantities of hazardous materials can also be addressed through ALUC policies. While these issues complicate decisions pertaining to safety, there are guidelines to address these hazards.

- *Wildlife Hazards* – In FAA Advisory Circular 150/5200-33B, "*Hazardous Wildlife Attractants on or near Airports*" the FAA provides minimum separation criteria for land uses that attract wildlife deemed hazardous to aviation. Based on FAA data, 78 percent of aircraft bird strikes occur below 1,000 feet above ground level. Larger birds such as vultures, geese, cormorants, pelicans, cranes, eagles, and ducks top a longer list of wildlife deemed hazardous to aviation. The rankings are based on a composite score of the degree of damage to an aircraft and the resultant effects on an aircraft's performance. The FAA recommends a separation distance from potential hazardous wildlife attractants based on the types of aircraft using an airport. For piston-powered aircraft the FAA recommends a separation distance of 5,000 feet and for turbine-powered aircraft a separation distance of 10,000 feet from the nearest airport operations area. These guidelines affect waste disposal facilities (solid waste landfills, transfer stations, commercial composting operations); water management facilities (stormwater or wastewater), wetlands, some agricultural activities; and golf courses and other large landscaped land uses. Federal regulations and guidelines on sanitary landfills near airports are also addressed in Title 40 CFR, Part 258.10, *Airport Safety*, and FAA Advisory Circular 150/5200-34A, *Construction or Establishment of Landfills near Public Airports*. While facilities of these types would trigger an ALUC review, not all of these type facilities necessarily pose a hazard.
- *Visual and Electronic Interference* – Land use activities that interfere with a pilot's control of an aircraft either through some visual distraction or by creating electrical interference with navigational signals or radio communication between the airport and aircraft are generally not allowed within the Airport Influence Area. These activities may include bright or colored lighting that makes it difficult to distinguish from airport lighting, glare in the eyes of pilots using the airport, smoke or other impairments to visibility in the airport vicinity.

- *Hazardous Materials* – These are land uses which include features that could substantially contribute to the severity of an aircraft accident if they were to be involved in one. This may include above ground storage of substantial quantities of flammable materials, fuel pumping facilities, above ground high voltage electric transmission lines or switching facilities, above ground pipelines carrying flammable materials, and other similar uses.
- *Air Turbulence Hazards* – These land uses include features that create turbulence in the air above. Thermal plumes, including steam, from cooling towers, solar arrays, wind turbines and other energy producing sources may be a hazard to flight by causing unstable air. While all of these types of facilities would trigger an ALUC review, not all of these types of facilities necessarily pose a hazard.

Safety zones can be particularly hazardous areas based on the aviation activities alone, and the various physical factors of some land uses cited above can exacerbate the potential risk. Based on these hazards and the perception of risk, ALUC policy is to not approve new residential development within these safety zones as reflected in the Land Use Compatibility Matrix in Section 3. However there are situations where the established character of development in a particular area limits the development options, such as on vacant lots within an existing subdivision, or on a vacant parcel surrounded by residential subdivisions. In these situations the build out of residential land uses may be the only appropriate land use even though the use itself is incompatible at its location and contrary to the policies of this plan. A similar situation may apply to other land uses categories as well. This special situation is generally identified as "infill" and the ALUC has developed specific policies to address this. While the infill situation may be relevant to the entire Airport Influence Area, it is particularly applicable to the safety zones and at this time infill policies are limited only to the safety zones.

### 2.4.2 Safety Findings

The Tulare County ALUC finds:

a. Designation of safety zones around public use airports, together with the identification and restriction of incompatible land uses, can reduce the public's exposure to aircraft-related safety hazards.

b. Safety zones developed by the Caltrans Division of Aeronautics are based on a significant body of aircraft accident information and provide a reliable and repeatable means to represent safety risk within an Airport Influence Area.

c. The most practical methods for reducing safety risks are to adjust land use densities and allowed population densities in response to the level of risk.

    1) Lot coverage restrictions ensure that a disabled aircraft, either controlled or uncontrolled, has sufficient opportunity to miss inhabited structures.

    2) Population density restrictions ensure that people are not concentrated in areas of higher risk.

d. Aside from the normal risks associated with airport operations, as represented by the various safety zones, certain types of land uses have been identified as contributing additional hazards to aviation safety. These hazards may be located throughout the Airport Influence Area. These include, but may not be limited to, land uses which:

1) Attract large concentrations of birds;

2) Generate smoke within approach and departure areas;

3) Direct steady or flashing red, amber, white, green or blue lights toward aircraft engaged in takeoff or landing maneuvers;

4) Direct reflected sunlight toward aircraft during takeoff or landing maneuvers;

5) Generate electrical interference which may be harmful or disruptive to aircraft electronics or communications;

6) Concentrate large quantities of flammable materials;

7) Generate thermal or other energy that creates or contributes to wind turbulence.

e. Situations may arise in the various safety zones in which the character of surrounding land uses limits development to all but an incompatible use(s). This special situation is referred to as "infill" and the ALUC finds that this situation requires special policies.

### 2.4.3 Safety Policies

The following ALUC policies are established for airport safety zones:

a. The Tulare County ALUC establishes the safety zone concepts described by Caltrans in the October 2011 Caltrans *Handbook.* These safety areas are:

- Runway Protection Zone, to be referred to as Safety Zone 1
- Inner Approach/Departure Zone, to be referred to as Safety Zone 2
- Inner Turning Zone, to be referred to as Safety Zone 3
- Outer Approach/Departure Zone, to be referred to as Safety Zone 4
- Sideline Zone, to be referred to as Safety Zone 5
- Traffic Pattern Zone, to be referred to as Safety Zone 6

b. The application of the safety zones identified in paragraph 2.4.3.a. above to Tulare County's public-use airports are illustrated on the following figures in Section 5:

| Airport | Figure |
|---|---|
| Visalia Municipal Airport | VIS-2 |
| Porterville Municipal Airport | PTV-2 |
| Tulare Municipal Airport – Mefford Field | TLR-2 |
| Woodlake Municipal Airport | WDL-2 |
| Sequoia Field | SEQ-2 |
| Exeter Airport | EXE-2 |
| Eckert Field | ECK-2 |

c. Compatible land uses within Safety Zones 1 through 6 are defined in Table 3-1 of the *Tulare County Airport Land Use Compatibility Matrix* presented in Section 3. These land use compatibility designations do not automatically create an entitlement. Land uses are subject to jurisdictional requirements and restrictions found in General and Specific Plans and zoning

ordinances adopted by the various cities and Tulare County, some of which may be more restrictive than those presented in Table 3-1. More restrictive local policies are not inconsistent with this plan.

d. Infill development poses a special situation with regard to ALUC policy and the following associated policies provide guidance:

   1) Within Safety Zones 2 through 6, the construction of a single dwelling on a vacant lot within an established residential subdivision does not require ALUC review, even though the use is incompatible. However, if the proposed development would create an obstruction, as noted under the height control policies, ALUC review shall be required to address the potential obstruction.

   2) Similarly within Safety Zones 2 through 6, the development of a single family house on a vacant but un-subdivided parcel, which is allowed by right, also does not require ALUC review, provided no obstructions are created. However, ALUC review shall be required to address the potential obstruction.

   3) By extension, development of vacant lots in other types of established subdivisions located within Safety Zones 2 through 6, such as an industrial or office complex do not require ALUC review provided the use is allowed by the underlying zoning and no obstruction or other hazard is created.

   4) In situations where subdivision is required, the ALUC reserves the right of review, even though the application of the infill policy appears most appropriate. In this situation the project's proponent shall establish and prove that infill policies should be applied. The mere fact that surrounding development is of a particular type is not sufficient reason to perpetuate an incompatible land use in this situation.

e. Any proposed land use resulting in a potential increase of the bird population within the designated Airport Influence Area shall be reviewed in accordance with the most current version of FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or near Airports*, to determine if the proposal creates a wildlife attractant hazard. Such proposals include, but are not limited to wildlife mitigation plans, construction of water retention basins, sewage treatment facilities, solid waste transfer stations, the storage of putrescible waste, or any activity potentially believed to increase bird population.

f. Land uses throughout the Airport Influence Area that include features which could substantially contribute to the severity of an aircraft accident if they were to be involved in one are subject to ALUC review. These land uses include, but are not limited to: arenas or stadiums or the like with large concentrations of people, above ground storage of substantial quantities of flammable materials, fuel pumping facilities, above ground electric transmission lines or switching facilities, above ground pipelines carrying flammable materials, energy-producing uses that contribute to wind turbulence, and other similar uses.

g. Avigation easements that "run with the land" shall be recorded for all new development within Safety Zones 1 through 6 and such easement may be required as a condition of project approval. Avigation easements shall generally provide for the free and unobstructed aerial passage and flight of aircraft in connection with the Airport. The avigation easement shall include:

1) A right to subject the property to noise, vibrations, fumes, dust, and fuel particle emissions associated with normal airport activity;

2) A right to prohibit the erection or growth of any structure, tree, or other object that would interfere with the acquired airspace;

3) A right-of-entry onto the property, with proper advance notice, for the purpose of removing, marking, or lighting any structural or other object that enters the acquired airspace;

4) A right to prohibit electrical interference, glare, misleading lights, visual impairments, and other hazards to aircraft flight from being created on the property.

h. The maximum residential densities allowed within Safety Zones 1 through 6 are defined in Table 3-2 of the Airport Land Use Compatibility Matrix in Section 3. To provide a reasonable opportunity for a disabled aircraft to effect an off-airport emergency landing, the Tulare County ALUC supports the clustering of development as a means to achieve open space areas that would make this possible. A clustered housing development is one in which the houses on a given tract of land are erected on lots with reduced area and frontage in order that the balance of the tract of land may remain as permanent open space. Housing density may not exceed the density that would have resulted if the tract were developed under the conventional full size lot pattern.

i. The maximum non-residential intensities of land uses allowed within Safety Zones 1 through 6 are defined in Table 3-2 of the Airport Land Use Compatibility Matrix in Section 3. Two measurements are required to satisfy these standards: the number of people per gross acre and the maximum number of people per single acre. A developer may receive a bonus when risk reduction techniques are employed in the building designs. However, the developer shall demonstrate through special studies or available research that the specific measures proposed and the manner in which they are employed will in fact achieve a reduction of risk in aircraft accidents. These bonus intensities are subject to jurisdictional requirements and restrictions found in General and Specific Plans and zoning ordinances adopted by the various cities and Tulare County, some of which may not allow such an increase.

## 2.5 AIRCRAFT NOISE RESTRICTION AREAS

### 2.5.1 ALUC Objectives and Supporting Guidelines

The most common public complaint regarding airports is the noise generated by aircraft operations. Most individuals can tolerate low levels of aircraft noise, but as the overall noise level rises and begins to interfere with conversation, sleep, business and other activities, the frequency of complaints increases. Complaints can also result from a single event in which the perception is held that an aircraft is too low or too noisy. Eventually, excess noise levels become detrimental to the public health, safety and welfare and, therefore, contrary to the public interest.

The objective of the ALUC regarding aircraft noise is to minimize the number of people exposed to frequent and/or high levels of airport noise capable of disrupting noise-sensitive activities. In accomplishing this objective the ALUC wants to ensure that as the airports evolve over time, even beyond the 20-year time horizon of this plan, that the growth in aviation activity does not envelop areas that were set aside in a previous plan as being noise compatible.

There is a broad body of research regarding aircraft noise, and noise generally. Chapter 4 of the October 2011 Caltrans *Handbook* includes a discussion of measuring and regulating noise.

### 2.5.2 Noise Findings

The Tulare County ALUC finds:

a. Excessive noise can be contrary to the public interest by interfering with sleep, communication and relaxation; by contributing to hearing impairment and increasing stress; and by adversely affecting the value of real property.

b. Based on studies of noise, the State of California has established noise standards described in the California Code of Regulations, Title 21, Subchapter 6. These standards designate the Community Noise Equivalent Level (CNEL) as the noise rating method to be used by airports in California.

c. State of California Noise Standards (Title 21, Subchapter 6, Noise Standards, Section 5014) do not permit incompatible land uses within the 65 dB CNEL zone unless the habitable interior noise levels can be mitigated to 45 dB CNEL or an avigation easement for noise has been obtained by the airport proprietor. The State defines incompatible uses as:

    1. Single-family dwellings
    2. Multiple-family dwellings
    3. Trailer parks
    4. Public and private schools of standard construction
    5. Hospitals and convalescent homes
    6. Churches, synagogues, temples and other places of worship

d. The State also established noise reduction requirements for new hotels, motels, apartment houses and other dwelling units, except single-family dwellings. This code limits noise levels (with windows closed) in any habitable affected dwelling, to 45 dB CNEL.

e. Studies of building materials and construction types indicate that noise reductions can be achieved through standard building methods, and that estimated noise reductions identified can be achieved through common building practices.

f. There are practical techniques to reduce interior noise levels of common building types by an additional 10 to 20 dBA. Such techniques include:

    1. Heavy weather-stripping of exterior doors
    2. Fixed, sealed and double paned windows with forced ventilation or air conditioning
    3. Elimination of baffling or openings through exterior walls
    4. Adding materials to ceiling surfaces where no attics exist

### 2.5.3 Noise Policies

Noise restriction policies at Tulare County public-use airports are proposed to limit the number of people exposed to frequent and/or high levels of airport noise or to frequent and/or high cumulative noise levels of which airport noise is one component. The basic strategy for achieving noise compatibility is to limit the development of land uses that are particularly sensitive to noise and to obtain avigation easements for aircraft noise within all aircraft safety areas (defined in Section 2.4) and overflight areas (defined in Section 2.6). The following policies are established:

a. The standard for noise compatibility for residential and other noise-sensitive uses within an Airport Influence Area in Tulare County is 60 dB Community Noise Equivalent Level (CNEL). Within city jurisdictions the standard for aircraft noise compatibility is as explicitly stated in the Noise Element of the local agency's General Plan, or 60 dB CNEL as noted in the previous sentence. In no case shall a local agency set the aircraft noise compatibility standard above 65 dB CNEL, which is the State of California and federal noise standard.

b. Aircraft noise exposure contours define aircraft noise restriction areas and provide the basis for these policies. Aircraft noise exposure contours shall be developed using the Federal Aviation Administration's Integrated Noise Model (commonly referred to as the INM). Such modeling shall be based on a level of aircraft operations that are at least equal to, or greater than, the forecast level of aircraft operations at the airport, as represented in the airport master plan or Caltrans approved alternative. The resultant analysis should provide the 55, 60, and 65 dB CNEL aircraft noise exposure contours.

c. Aircraft noise exposure contours for each City-owned public-use airport are illustrated on the following figures in Section 5. It should be noted that not all of these aircraft noise exposure contours were developed in a manner consistent with Policy 2.5.3.b. above. At this time, noise exposure contours have not been developed for Sequoia Field, Exeter Airport or Eckert Field. Aircraft operations at these three airports are very low and, based on FAA guidance, aircraft noise at levels above established impact threshold levels would not extend beyond the airport boundary.

| Airport | Figure |
|---|---|
| Visalia Municipal Airport | VIS-3 |
| Porterville Municipal Airport | PTV-3 |
| Tulare Municipal Airport – Mefford Field | TLR-3 |
| Woodlake Municipal Airport | WDL-3 |

d. The ALUC anticipates that aircraft noise exposure contours, identified in Policy 2.5.3.b. above, normally would be prepared as part of the environmental processing associated with adoption of an airport master plan or as part of a General Plan Noise Element. In those situations where an airport master plan, or the Caltrans approved alternative, supporting CEQA document or General Plan Noise Element does not provide aircraft noise exposure contours, the ALUC may pursue the development of its own aircraft noise exposure contours in order to meet its obligations under California law.

e. Extremely noise sensitive land uses shall not be allowed within the 60 dB CNEL aircraft noise restriction zone. At a minimum the following land uses are considered extremely noise sensitive:
   1. All residential land uses (rural residential, suburban residential, single-family, multifamily, mobile homes and mobile home parks, and caretaker quarters)
   2. Outdoor theaters, amphitheaters, and public assembly areas (does not include sports stadiums, athletic fields, playgrounds, public swimming pools, tennis courts, golf courses, or small picnic areas)
   3. Campgrounds (with overnight sleeping facilities)
   4. Bed and breakfast inns, home stay facilities
   5. Hospitals, nursing homes and residential care facilities

f. Moderately noise sensitive land uses shall be allowed within the 60 dB CNEL aircraft noise restriction zone only when sufficient mitigation is provided through the incorporation of special design features and construction techniques to ensure noise compatibility. Mitigation measures must attenuate ambient noises to interior levels of 45 db or less. At a minimum the following land uses are considered moderately noise sensitive:
   1. Hotels and motels
   2. Restaurants, bars, taverns, food takeouts, wine tasting rooms, and similar business
   3. Temporary sleeping quarters for air crews and other employees in transit
   4. Offices, office buildings
   5. Churches, synagogues, temples, mosques, monasteries and convents
   6. Mortuaries, funeral parlors
   7. Indoor theaters, music halls, meeting halls, and other indoor public assembly facilities (but not including facilities utilized exclusively by pilots organizations, airport or airline employees, or other airport related groups)
   8. Studios - radio, television, recording, rehearsal, and performance facilities
   9. Schools and day care centers (but not including flight schools, aviation mechanics training schools, airline orientation facilities or other institutions offering instruction only in aviation-related fields)
   10. Libraries (excluding aviation-oriented libraries)
   11. Museums (excluding air museums)

g. The compatibility of all other land uses shall be based upon the respective Noise Element of the City or County General Plans.

## 2.6 AIRCRAFT OVERFLIGHT AREAS

### 2.6.1 ALUC Objectives and Supporting Guidelines

Many people are sensitive to the presence of aircraft overhead even at low noise levels. These reactions are typically expressed as an annoyance. In some circumstances where the natural background noise level is extremely low, even barely audible aircraft noises are perceived as an intrusion. Some people are fearful of aircraft overhead, even if the aircraft cannot be heard. ALUC's are particularly limited in their ability to deal with such overflight concerns, in part because they have no authority over aircraft operations, and in part because their authority extends only to proposed new development. The most desirable compatibility objective with respect to aircraft overflight is to avoid land use development that leads to annoyance and complaints. However, given the extensive geographic area over which overflight impacts occur, this objective is unrealistic except relatively close to the airport. A more realistic objective therefore might be to promote conditions under which annoyance will be minimized.

Promoting conditions under which annoyance will be minimized can take several forms. One approach is to identify where aircraft overflights occur and to make this information generally available so that people who are highly annoyed by overflights can avoid living in those locations. This approach uses avigation easements and deed notices to identify for prospective buyers that a property is within an airport influence area. Current California law requires residential property owners to disclose to prospective buyers that the property is in the "vicinity" of an airport. The law uses the term *"airport influence area"* interchangeably with *"vicinity."* Three circumstances are applicable:

- When a new subdivision is created (Business and Professions Code § 11010(a)(12));
- When a new common-interest development such as a condominium is created (Civil Code § 1353); and
- When a "natural hazard disclosure statement" is prepared in connection with the transfer of property (Civil Code § 1103.4)

A second approach is to promote those types of land uses and development standards that tend to mask the intrusive noise. This approach is more difficult. For example, by allowing multifamily residential uses instead of single family uses there is additional shielding of aircraft noise and fewer outdoor activities at the residence, but the tradeoff is increased safety risk from the concentration of population.

### 2.6.2 Overflight Findings

a. Frequent aircraft overflights can result in annoyance and complaints on the part of some residents. Locations include areas beneath the standard traffic patterns, portions of the pattern entry and departure routes flown at traffic pattern altitude, and sometimes additional places which experience a high concentration of overflights.

b. As of January 1, 2004, California law requires residential property owners to disclose to prospective buyers that the property is in the "vicinity" of an airport.

c. With respect to the resale of residential property, Section 1102 of the California Civil Code requires sellers to complete a Real Estate Transfer Disclosure Statement. The statement

requires sellers to disclose whether they are aware of "neighborhood noise problems or other nuisances."

### 2.6.3 Overflight Policies

To ensure that potential and prospective land users within an Airport Influence Area are provided with sufficient information regarding the presence of, and activities at, the nearby airport the following overflight policies are adopted:

a. Avigation easements shall be obtained and recorded for all properties to be developed within Safety Zones 2 to 6 (See Policy 2.4.3.g. earlier), and in those portions of Safety Zone 1 that are not owned by the Airport Sponsor.

b. Deed notices describing the potential for airport impacts shall be required as a condition of development in those areas of the Airport Influence Area outside designated Safety Zones.

c. All real estate transfers within the Airport Influence Area shall include the following Notice of Airport in Vicinity in the Real Estate Transfer Disclosure Statement:

***Notice of Airport in Vicinity***

*This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.*

# SECTION 3
# LAND USE COMPATIBILITY MATRIX

The Tulare County Airport Land Use Compatibility Matrix consists of two tables. Table 3-1 addresses land use compatibility in the safety and height restriction zones by land use type. Table 3-2 addresses the maximum residential densities in the safety and height restriction zones. Table 3-2 also addresses the maximum non-residential intensity in the safety and height restriction zones. Footnotes document the application of ALUC policy for specific categories of land use. It should be noted that land uses are subject to jurisdictional requirements and restrictions found in General and Specific Plans and zoning ordinances adopted by the various cities and Tulare County, some of which may be more restrictive than those presented in Table 3-1.

Table 3-1 is not intended to be the last word with regard to land use compatibility. Rather it provides a guide for the different land use categories and the types of compatibility issues likely associated with that land use.

Policy matters that are unique to a specific airport are documented with the airport in Section 5. For example, at Sequoia Field a portion of the airport area is a registered, and thus protected, historical site. Policy decisions that may pertain to a specific project that is unique to a particular airport are documented in the same way.

# Table 3-1

## TULARE COUNTY AIRPORT LAND USE COMPATIBILITY[1]

| Land Use Category [2] | Safety Zone 1 [3] | Safety Zone 2 [3] | Safety Zone 3 [3] | Safety Zone 4 [3] | Safety Zone 5 [3] | Safety Zone 6 [4] | Remainder Areas within Airport Influence Area [5,6] |
|---|---|---|---|---|---|---|---|
| **Agriculture & Animal Keeping** | | | | | | | |
| Crop production including dry and irrigated farming | C[8] | C[8] | C | C | C[8] | C | C |
| Truck Farming, Specialty Crops, Orchards, Vineyards, Landscape Nurseries, Greenhouses | P | C | C | C | P | C | C |
| Crop Processing and Packaging, Wineries | P | C | C | C | P | C | C |
| Pasture and Rangeland Grazing | P | C | C | C | C[8] | C | C |
| Hogs, Dairies, Bee Keeping | P | C | C | C | P | C | C |
| Commercial Poultry | P | P | P | P | P | P | C |
| Fish Farms, Game Preserves | P | C[8,9] | C[8,9] | C[8,9] | P | C | C |
| Feed Lots, Stockyards, Sales Yards | P | C[8,9] | C[8,9] | C[8,9] | P | C | C |
| Animal Hospital, Veterinary Clinic, Kennels, Pet Boarding, Equestrian Facilities, Exotic Animals | P | C[8,9] | C[8,9] | C[8,9] | P | C | C |
| Roadside Stands, Farmers Markets | P | C | C | C | P | C | C |
| **Residential [10]** | | | | | | | |
| Single Family Residential | P | P | P | P | P | C[11] | C[11] |
| Multi-Family Residential, Mobile Home Parks | P | P | P | P | P | P | C[11] |
| Group Homes, Convalescent Facilities, Nursing Homes | P | P | P | P | P | P | C[11] |
| Granny Flat (1,200 s.f. or less) | P | P | P | P | P | P | C[11] |
| Caretaker Residence (1,200 s.f. or less) | P | C[11] | C[11] | C[11] | C[11] | C[11] | C[11] |

C[1] = Compatible
P[1] = Prohibited

## Table 3-1 (continued)
## TULARE COUNTY AIRPORT LAND USE COMPATIBILITY

| Land Use Category | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area [3] |
|---|---|---|---|---|---|---|---|
| **Institutional, Public and Quasi-Public** | | | | | | | |
| Schools and Hospitals | P[18] | P[18] | P[18] | P[18] | P[18] | P[18] | C[18] |
| Libraries, Day Care Centers, Social Clubs/Lodges, Churches | P | P | P | P | P | P | C |
| Parks, Playgrounds, Picnic Areas | P | C[17] | C[17] | C[17] | C[17] | C[17] | C[17] |
| Athletic Fields | P | C[17] | C[17] | C[17] | C[17] | C[17] | C[17] |
| Cemeteries - People or Pets | P | C | C | C | C | C | C |
| Public Utility Facilities (except Electric Plants) | P | C[8] | C[8] | C[8] | P | C | C |
| Electric Power Plants (including wind turbines and solar) and overhead transmission lines | P | P | P | P | P | C | C |
| Correctional Facilities | P | P | P | P | P | C | C |
| **Communications** | | | | | | | |
| Broadcast Studios | P | C | C | C | P | C | C |
| Transmission Stations, Towers, Antennas | P | P | P | P | P | C[16] | C |
| **Resource Extraction** | | | | | | | |
| Mining – Sand, Gravel, Fill Dirt | P | P | P | P | P | C | C |
| **Commercial Recreational** | | | | | | | |
| Arcades, Bowling Alleys, Skating Rinks, Dance and Pool Halls, Card Rooms, Gaming Facilities, Gyms, Health Spas, Indoor Theaters and Auditoriums, Go-cart track, Dirt track | P | P | C[17] | C[17] | P | C[17] | C |

## Table 3-1(continued)
## TULARE COUNTY AIRPORT LAND USE COMPATIBILITY

| Land Use Category | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area [3] |
|---|---|---|---|---|---|---|---|
| **Commercial Recreational** (continued) | | | | | | | |
| Outdoor Theaters, Amusement Parks, Carnivals, Fairs | P | P | C[17] | C[17] | P | C[17] | C |
| Golf Courses, Tennis Courts | P | C | C | C | C | C | C |
| Multi-Use Stadium/Motor Speedway | P | P | P | P | P | C[17] | C |
| Swimming Pools, Water Slides | P | P | C[17] | P | P | C | C |
| **Retail Commercial** | | | | | | | |
| Aircraft Fuel, Aircraft Sales, Aircraft Repairs and Aircraft Flying Schools | P | P | P | P | C | P[19] | C |
| Vehicles and Parts Sales, Building Materials, Food and Beverage Sales | P | C[11] | C[11] | C[11] | P | C[11] | C |
| Shopping Centers | P | P | P | P | P | C[11] | C |
| Banks | P | P | P | P | P | C[11] | C |
| Small Retail Commercial Center | P | P | C[11] | C[11] | P | C[11] | C |
| Gasoline Service Stations | P | P | C | C | P | C | C |
| Restaurant and Food Take-Out, General Retail Stores, Tasting Rooms | P | P | C[11] | C[11] | P | C[11] | C |
| Convention and Conference Centers | P | P | C[11] | P | P | C[11] | C |
| Fuel Dealers, Fuel Storage | P | C[13] | C[13] | C[13] | P | C[13] | C |
| **Service Commercial** | | | | | | | |
| Office Buildings, Public Buildings, Research Laboratories | P | C[11] | C[11] | C[11] | C[11] | C | C |
| Appliance and Equipment Repair, Car Wash | P | C | C | C | P | C | C |

## Table 3-1 (continued)
## TULARE COUNTY AIRPORT LAND USE COMPATIBILITY

| Land Use Category | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area [3] |
|---|---|---|---|---|---|---|---|
| **Service Commercial** (continued) | | | | | | | |
| Personal Services, Health Clinics | P | C[11] | C[11] | C[11] | P | C[11] | C |
| Recycling | P | C[8,13] | C[8,13] | C[8,13] | P | C | C |
| **Transient Lodgings** | | | | | | | |
| Hotels and Motels, Bed and Breakfast | P | P | C[10] | C[10] | C[10] | C[10] | C |
| RV Parks | P | P | C[10] | C[10] | C[10] | C[10] | C |
| **Wholesale & Storage** | | | | | | | |
| Mini-Storage | P | P | P | P | C | C | C |
| Ammonium Nitrates | P | P | P | P | P | P | P |
| Warehouse, Wholesale and Distributing | P | C[7] | C | C[7] | C[15] | C | C |
| Landfills | P | P | P | P | P | P | P |
| Petroleum and Chemical Products – Bulk Storage | P | P | C[13] | C[13] | C | C | C |
| **Manufacturing & Processing** | | | | | | | |
| Indoor Processes | P | C[14] | C[14] | C[14] | C[14] | C[14] | C |
| Industrial Manufacturing | P | C[14] | C[14] | C[14] | C[14] | C[14] | C |
| Warehousing & Distribution | P | C[14] | C[14] | C[14] | C[14] | C[14] | C |
| **Transportation** | | | | | | | |
| Vehicle Storage and Parking | C[7] | C | C[7] | C | C | C | C |
| Taxi Stands, Bus Stations/Terminals | P | C[12] | C[12] | C[12] | C[12] | C | C |
| Truck Terminals | P | C | C | C | C[15] | C | C |

**Table 3-1 (continued)**
**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY**

**Notes:**

1 Land uses are identified as being "C" – compatible, or "P" – prohibited based upon the following interpretations:
*Compatible* - Compatible land uses are designated by the symbol "C". This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.
*Prohibited* - Prohibited land uses are designated by the symbol "P". The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

2 The land use categories illustrated provide a representative sample of land uses found in Tulare County for the purpose of identifying any associated noise, safety, height, or overflight issues within the various zones of the Airport Influence Area. Other land use types that exhibit functional characteristics similar to the uses listed are likely to receive a similar compatibility rating. When it is not clear how a particular land use type might be rated for compatibility the referring agency, landowner or developer should contact ALUC Staff.

3 Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by FAR Part 77 imaginary surfaces. An FAA aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an avigation easement to the airport sponsor.

4 Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.

5 The Airport Influence Area is defined by the outer edge of the conical surface as described in FAR Part 77, plus aircraft noise areas outside the conical surface that exceed 60 dB CNEL.

6 The Remainder areas include portions of the FAR Part 77 horizontal surface not included within the safety zones, together with the conical surface and any 60 dB CNEL noise zones that project beyond the conical surface.

7 Allowed as a temporary use of Airport lands provided the activity does not attract birds or interfere with Airport operations.

8 No structures, congregations of equipment or vehicles, or public venues shall be located within 500 feet of runway centerline.

9 Land uses that incorporate the use of any weapons or implements that would launch a projectile into the air other than animal tranquilizers are prohibited.

10 As a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the ALUC to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

**Table 3-1 (continued)**
**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY**

**Notes (continued):**

11 In areas where aircraft noise is expected to exceed 60dB CNEL; inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.

12 Allowed only to the extent that such uses support the flow of passengers to and from the Airport.

13 For otherwise acceptable land uses, the limit for aboveground storage of hazardous materials is 2,000 gallons.

14 Allowed if dust, fumes, and other aspects of the process are carried out in a controlled environment.

15 A compatible use only when the activity is an integral part of an acceptable on-Airport use.

16 Subject to location and height limits.

17 Any activities located in Safety Zones 1 through 6 must meet nonresidential intensity standards – See Table 3-2 of this matrix.

18 No local schools (K-12) or hospitals are permitted in Safety Zones 1 to 6. School locations must meet California Education Code standards.

19 Retail Commercial (Aircraft Fuel, Aircraft Sales, Aircraft Repairs and Aircraft Flying Schools) are a compatible use on airport property within Safety Zone 6.

## Table 3-2

## MAXIMUM ALLOWED DENSITIES

| Current Setting | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area |
|---|---|---|---|---|---|---|---|
| **Maximum Residential Densities (average number of dwelling units per gross acre)** | | | | | | | |
| Rural | 0 | Note A | Note A | Note A | Note A | No Limit<br>Note B | No Limit<br>Note B |
| Suburban | 0 | 1 per<br>10-20 ac | 1 per<br>2-5 ac | 1 per<br>2-5 ac | 1 per<br>1-2 ac | No Limit<br>Note B | No Limit<br>Note B |
| Urban | 0 | 0 | Note C | Note C | Note C | No Limit<br>Note B | No Limit<br>Note B |
| Dense Urban | 0 | 0 | Note C | Note C | Note C | No Limit<br>Note B | No Limit<br>Note B |
| **Maximum Nonresidential Intensities (average number of people per gross acre)** | | | | | | | |
| Rural | 0<br>Note D | 10-40 | 50-70 | 70-100 | 50-70 | 150-200 | No Limit |
| Suburban | 0<br>Note D | 40-60 | 70-100 | 100-150 | 70-100 | 200-300 | No Limit |
| Urban | 0<br>Note D | 60-80 | 100-150 | 150-200 | 100-150 | No Limit<br>Note E | No Limit |
| Dense Urban | 0<br>Note D | Note F | Note F | Note F | Note F | No Limit<br>Note E | No Limit |
| **Maximum Single Gross Acre Intensity (numbers of people)** | | | | | | | |
| Rural | 0 | 50-80<br>Note G | 150-210<br>Note H | 210-300<br>Note H | 150-210<br>Note H | 600-800<br>Note I | No Limit |
| Suburban | 0 | 80-120<br>Note G | 210-300<br>Note H | 300-450<br>Note H | 210-300<br>Note H | 800-1200<br>Note I | No Limit |
| Urban | 0 | 120-160<br>Note G | 300-450<br>Note H | 450-600<br>Note H | 300-450<br>Note H | No Limit<br>Note E | No Limit |
| Dense Urban | 0 | Note F | Note F | Note F | Note F | No Limit<br>Note E | No Limit |

**Notes:**
- A Maintain current zoning if less than density criteria for suburban setting.
- B Noise and overflight should be considered. Affected jurisdictions may impose greater density restrictions through their general plan and/or zoning.
- C Allow infill at up to the average density of surrounding residential area.
- D Exceptions can be permitted for agricultural activities, roads and automobile parking provided that FAA criteria are satisfied.
- E Large stadiums and similar uses should be prohibited.
- F Allow infill at up to the average intensity of comparable surrounding uses.
- G Based on 2x the Maximum Nonresidential Density.
- H Based on 3x the Maximum Nonresidential Density.
- I Based on 4x the Maximum Nonresidential Density.

**Source:** Derived from Figures 4B through 4G**,** *California Airport Land Use Planning Handbook*, State of California, Department of Transportation, Division of Aeronautics, October 2011.

# SECTION 4
# PROCEDURAL POLICIES

## 4.1 EXISTING LAND USE

The height, safety, noise and overflight policies identified in this Comprehensive Airport Land Use Plan apply only to new development within the various Airport Influence Areas. Existing land uses, whether compatible or incompatible, are excluded from the requirements and policies of this plan. However, if a landowner wanted to expand the use, convert it to a different use, or otherwise redevelop the property, and such changes require discretionary approval on the part of Tulare County or an affected city, they fall within the authority of the ALUC to review. It is not necessary for a proposal to involve a general plan amendment or zoning change for it to come within the ALUC's purview.

The Tulare County ALUC adopts the following policies regarding existing land uses:

a. A land use is considered to be "existing" when one of the following conditions is met:

   1. A vesting tentative map has been approved and all discretionary approvals have been obtained;
   2. Substantial construction investments by the landowner make it infeasible for the property to be used for anything other than its proposed use;
   3. The land use physically exists.

b. Existing land uses within an Airport Influence Area that are "incompatible" based on the Land Use Compatibility Matrix will be considered "non-conforming" uses and will be allowed to remain. No increase in the number of non-conforming residential units for existing residential development will be allowed without further review, except where such entitlement already exists.

c. If a non-conforming use is either abandoned or substantially destroyed and the owner wishes to restore the land use, the local planning agency or governing body must first determine that, in the particular case, the private benefit is more important than the public objectives of the CALUP. Although non-conforming, such restored land uses must conform to ALUC policies regarding easement dedication, noise level attenuation, and any other policies that may be applicable.

## 4.2 ALUC REVIEWS

### 4.2.1 Actions Subject to Mandatory ALUC Review

The Tulare County ALUC adopts the following policies regarding mandatory reviews:

a. In accordance with California Public Utilities Code Section 21676(b), prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation that affects lands within the Airport Influence Areas defined in Section 2.2, the referring agency shall first refer the proposed local action to the ALUC. The ALUC shall make a finding of whether or not the plan amendment, ordinance, or regulation is consistent with the CALUP. All determinations of consistency or inconsistency shall be made by the ALUC acting in its official capacity. If a finding of inconsistency is made by the ALUC, the ALUC and the local agency have several options as detailed in Section 4.4 below.

   A finding by the ALUC that any project, general plan or general plan amendment, specific plan or specific plan amendment, zoning ordinance, or building regulation is consistent with the ALUP does not constitute a finding that a subsequent version of the proposed action which has been modified from the version submitted to the ALUC is consistent nor does it constitute a finding that any subsequent project or action on the part of the referring agency is consistent.

b. In accordance with California Public Utilities Code Section 21676(c), each public agency owning a public-use airport identified in Section 5, or proposing the construction of a new airport within Tulare County, shall, prior to adoption of its airport master plan, refer such proposed change to the Tulare County ALUC. The ALUC shall make a finding of whether or not the airport master plan amendment is consistent with the CALUP. If a finding of inconsistency is made by the ALUC, the ALUC and the local agency have several options as detailed in Section 4.4 below.

c. Any school site proposed within two miles of an airport runway by a public or private entity shall require ALUC review. In accordance with PUC Section 21655 if a state agency proposes property acquisition or construction within two miles of an airport runway the action shall require ALUC review. If the proposal requires a Caltrans investigative report then that must be included in the information submitted to the ALUC. The Department of Education then notifies Caltrans, which is required to investigate the site and prepare a written report. If Caltrans does not favor acquisition of the site for a school, no state or local funds can be used for site acquisition or building construction on that site. State Education Code Section 81033 establishes similar requirements for community college sites. Finally, PUC Section 21655 also prescribes similar requirements for any proposed property acquisition or construction by a state agency within two miles of an airport runway.

### 4.2.2 Actions Subject to Optional ALUC Review

The Public Utilities Code does not mandate ALUC review of individual development projects when such projects do not require adoption of, or amendments to, a general or specific plan, zoning ordinance, or building regulation. The ALUC is, however, authorized to negotiate with local agencies and to execute voluntary agreements for review of individual development projects based on mutually agreeable criteria.

The Tulare County ALUC adopts the following policies regarding optional reviews:

a. It shall be the policy of the ALUC to enter into agreements, through memorandums of understanding (MOU), to assist local agencies by providing for voluntary review of major individual development projects occurring within an Airport Influence Area that entails:

   1. Expansion of the sphere of influence
   2. Residential development, including land divisions, consisting of five or more dwelling units
   3. Requests for variances of height limitation ordinances
   4. Major capital improvements (e.g., water, sewer, roads) that would promote incompatible urban development
   5. Proposed land acquisition by a local government agency (especially acquisition of a school site)
   6. Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

b. The comments, suggestions, and recommendations made by the ALUC in conducting reviews pursuant to paragraph 4.2.2.a. above shall be presumed to be advisory in nature, unless specified otherwise in the agreement.

c. In those situations where the general plan or specific plan has not been made consistent with the CALUP and the referring agency has not adopted the general or specific plan by overriding the ALUC (see Section 4.4 below), the ALUC may require that the referring agency submit all subsequent actions, regulations, and permits to the ALUC for review.

### 4.2.3 Information Required for ALUC Reviews

Any referring agency submitting a proposed local action to the Tulare County ALUC for review shall furnish, with such submission, information as described in this section.

The Tulare County ALUC adopts the following policies regarding information it requires for reviews:

a. Information provided to the ALUC must be clear and legible and should be in a report format no larger than 8 1/2 inches by 11 inches. All maps submitted must, in addition, include a scale of distance and an indication of orientation relative to true or magnetic north.

b. Indication, in writing, that the proposed local action is referred to the ALUC for review.

c. Include the full text of the proposed local action - general plan, specific plan, zoning ordinance, building regulation, school site acquisition, State agency property acquisition or construction, or individual project. If the referring agency expects to issue an exception or variance for the proposed project, that information shall also be included.

d. If relevant, the identities of all property owners within the land area encompassed by the local action, and, if any development or development application has been proposed to the

referring agency or is known by the referring agency to be in preparation in conjunction with the local action, the identities of the applicant or applicants and of the representative(s) thereof.

e. A full description and map of the geographic area affected. The map and description must indicate:

   1. The geographic area encompassed by the proposed local action;
   2. The assessor's parcel number of all properties affected by the proposed local action, if relevant;
   3. The relationship of the land area encompassed by the proposed local action to the Airport Influence Area;
   4. The relationship of the land area encompassed by the proposed local action to the airport land use zones (height, safety and noise) as defined by the CALUP.

f. A full indication of permissible land uses, maximum land use density (persons/acre), maximum residential density (dwelling units/acre), and minimum open space specified by current statute and the proposed local action.

g. An analysis of the maximum elevation of improvements (i.e., site elevation plus height of improvements) that would be permissible under the terms and conditions of the proposed local action, and of the relationship of the maximum allowable elevation of improvements to the applicable airport imaginary surfaces as defined in Federal Aviation Regulations Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, and the minimum instrument approach and departure altitudes, as specified by the *U.S. Standard for Terminal Instrument Procedures* (TERPS) of any instrument approaches and departures that entail overflight of the property affected. Note that, if FAA Form 7460-1, *Notice of Proposed Construction or Alteration* must be filed with the FAA, then the ALUC will not commence its 60-day review until the results of FAA's review and determination are made available to the ALUC.

h. An analysis of existing and proposed locations and dimensions of any contiguous open space areas that may support a potential emergency aircraft landing

i. A copy of any environmental assessment, environmental impact statement, noise study, or other environmental evaluation prepared or required in conjunction with the proposed local action. If the proposal requires a Caltrans investigative report in accordance with the State Education Code or PUC, then that must be included in the information submitted. When a proposed local action is so located within the Airport Influence Area that it may permit development that will expose people to projected noise levels that exceed acceptable limits, and when airport-related noise is contributory to such exposure, either as the sole noise source or as a component of a cumulative noise impact, a noise study shall be required for ALUC review of the proposed local action.

j. If the proposed project is located in Safety Zones 1 through 6, provide written assurance that an avigation easement in an approved form will be executed.

k. A copy of the required real estate disclosure document, together with a written assurance that:

   1. Proof of such disclosure will be required as a condition for recording any sale or transfer of title of property within the Airport Influence Area.

   2. Proof that persons renting, leasing, or otherwise providing for occupancy of real property within the land area encompassed by the proposed local action shall also be provided a copy of the required real estate disclosure document.

l. Payment of a $200 application fee. The ALUC reserves the right to adjust this fee from time to time as necessary without formally updating this Plan. Applicants for review should contact the ALUC to ascertain the current application fee.

### 4.2.4 Timing of ALUC Referrals

ALUC reviews are advisory to the local City Council or County Board of Supervisors and therefore project reviews must be accomplished before final action by these bodies. In order to avoid unnecessary delays in the overall processing of a plan or project, referral for review by the ALUC should, in general, be made as soon as all of the requirements for review are met. This practice will allow the ALUC's review to be duly considered by the local jurisdiction prior to formalizing its action.

The Tulare County ALUC adopts the following policies regarding the timing of referrals:

a. For new general plans, specific plans, or zoning ordinances and for major modifications to existing general plans, specific plans, or zoning ordinances, it is strongly suggested that a preliminary review by the ALUC be completed prior to it being released for public comment and a formal review be completed prior to initial reading of the proposed local action by the referring agency.

b. For minor modifications to existing general plans, specific plans, zoning ordinances, or building regulations and for voluntary reviews of individual projects, depending on the normal scheduling of meetings, it may be appropriate that review by the ALUC be carried out concurrently with review by the local planning commission and other advisory bodies.

### 4.2.5 Timing of ALUC Review

The ALUC needs to be timely in completing its reviews so as not to cause unnecessary delays in completing the proposed action.

The Tulare County ALUC adopts the following policies regarding the timing of its reviews:

a. The ALUC shall make a determination of consistency or inconsistency within sixty (60) days after the date on which all required information was received from the referring agency.

b. If the ALUC has not acted upon a referral within sixty (60) days after all information necessary for review of the proposed local action is received, and the proposed local action involves a general or specific plan, zoning ordinance, or building regulation, the proposed local action shall be deemed consistent with the CALUP.

c. If, at the time of initial receipt of a referral from a referring agency, the information required for ALUC review is incomplete, the ALUC or its staff shall notify the referring agency in writing within thirty (30) days, indicating the specific items which are incomplete. If, within an additional thirty (30) days following such written notification of incompleteness, the required information has not been received, the ALUC may make a finding that the referred local action is inconsistent with the CALUP based on failure of the referring agency to submit sufficient information for review.

## 4.3 ALUC DETERMINATIONS

In its consideration of any proposed local action referred to the ALUC, the ALUC shall make one of the following determinations:

- The proposed local action is consistent with the CALUP; or
- The proposed local action is inconsistent with the CALUP, for reasons cited.

In addition, the ALUC may, but is not required to, make such additional comments, suggestions, findings, or declarations with respect to the proposed local action as it shall deem fit and appropriate, and may, in particular, indicate to the referring agency, modifications in the proposed local action that would be likely to lead to a finding of consistency by the ALUC. Under no circumstances are such comments, suggestions, or declarations to be interpreted as a "conditional" or other finding of consistency. The referring agency, however, may choose, at its discretion, to amend the proposed local action in accord with the ALUC's comments and resubmit it to the ALUC for consideration.

State law (Article 3.5 of the California Public Utilities Code) makes no provision for "exceptions" or "waivers" with regard to any determination of consistency made by the ALUC or of any provision, condition, or requirement of an airport land use plan (CALUP). Neither the ALUC or its staff, nor the governing body or its staff, nor any referring agency or its staff may grant such exception or waiver.

## 4.4 REFERRING AGENCY OPTIONS

If the ALUC determines that a proposed local action is inconsistent with the CALUP, the city or county agency shall be notified. The governing body of the referring agency may take one of several actions in response.

- The city or county may modify the proposed action, plan, or regulation to be consistent with the ALUC's determination and resubmit the action to the ALUC for additional review.
- The city or county may overrule the ALUC after holding a public hearing for that purpose, if both of the following conditions are met:
  - the vote to overrule the ALUC's determination is made by at least a two-thirds vote of its members; and
  - specific findings are made that the proposed local action is consistent with the following purposes of Article 3.5 of the California Public Utilities Code, as stated in Section 21670:

(1) to provide for the orderly development of the Airport as a public use airport and the area surrounding the Airport so as to promote the overall goals and objectives of the California airport noise standards pursuant to Public Utilities Code Section 21669 and to prevent the creation of new noise and safety problems; and

(2) to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around the Airport to the extent that these areas are not already devoted to incompatible uses.

Such findings may not be adopted as a matter of opinion, but must be supported by substantial evidence.

Should the ALUC determine that a general or specific plan has not been made consistent with the CALUP and when a referring agency has failed to override the ALUC by the above procedure, the ALUC may require that the referring agency submit all subsequent actions, regulations, and permits to the ALUC for review.

## 4.5 AMENDMENT OF THE CALUP

The CALUP shall be reviewed by the ALUC as often as is necessary to accomplish its purposes, and may be amended by the ALUC no more often than once in any calendar year.

Within 60 days after the adoption of any amendment to the CALUP, the ALUC shall review the general and specific plans of all affected local agencies to determine whether they are consistent with the CALUP, as amended. If the plan or plans are found to be inconsistent, the referring agency shall be notified and that referring agency shall hold a hearing to reconsider its plan or plans.

# SECTION 5

# AIRPORT INFLUENCE AREAS AND LAND USE COMPATIBILITY ZONES

## 5.1 INTRODUCTION

This section presents the airport influence areas and land use compatibility zones (safety, noise and airspace protection surfaces) for each of the seven public-use Airports in the County. This section also includes an overview of each airport, including existing facilities and planning efforts relevant to the Comprehensive Airport Land Use Plan. A general description of the land uses in the vicinity of each airport is presented. The figures should be used in determining acceptable safety, noise and airspace protection requirements around each airport in accordance with policies established by this Plan. Any variations to the County-wide requirements and policies identified earlier in the Plan for individual airports are discussed.

## 5.2 VISALIA MUNICIPAL AIRPORT

### 5.2.1 AIRPORT

The Visalia Municipal Airport is located 4 miles west of the center of the City of Visalia and within the City limits at an elevation of 295 feet mean sea level. The Airport is located adjacent to the intersection of State Highways 99 and 198, two significant roadways serving the area. The Airport provides the City of Visalia, Tulare County and portions of Kings County with commuter airline and general aviation services. The 821-acre facility is owned and operated by the City of Visalia.

The Airport is classified as a General Aviation Airport in the Federal Aviation Administration (FAA) *National Plan of Integrated Airport Systems* (NPIAS). General Aviation Airports serve those communities that do not receive scheduled commercial service, do not meet the criteria for classification as a commercial service airport, and account for enough aviation activity (usually at least ten locally-based aircraft), and are at least 20 miles from the nearest NPIAS airport. The Airport is designated as an airport reference code (ARC) C-III by FAA. The Airport is classified as a Commercial Service-Primary Airport in the *California Aviation System Plan* (CASP). Commercial Service-Primary Airports provide scheduled passenger service and enplane more than 10,000 passengers annually. However, there were only 2,455 enplaned passengers in 2009.

The Airport includes one Runway 12-30, oriented northwest to southeast, which is 6,559 feet long and 150 feet wide. There is a 275-foot displaced landing threshold on Runway 12. There are left-hand traffic patterns for both runway ends. In addition to the general aviation activity, effective May 2011, Great Lakes Airlines provides two passenger flights a day to and from Los Angeles International Airport and one flight a day to and from Las Vegas McCarran International Airport using Beechcraft 1900 aircraft. There are also small package services provided by Federal Express (FedEx) and United Parcel Service (UPS) using turboprop aircraft. According to the *Airport Master Plan*, adopted June 2004, there were an estimated 26,000 annual aircraft operations at the Airport in 2001.

The most recent Airport Master Plan for the Visalia Municipal Airport was adopted in 2004. The Airport Layout Plan for Visalia Municipal Airport, included in the Airport Master Plan, is illustrated on Figure VIS-1. The Airport Master Plan proposes the following changes that are relevant to the standards and policies of the Comprehensive Airport Land Use Plan (CALUP).

- Runway 12-30 is proposed to be extended to the southeast from 6,559 feet to 8,000 feet.
- Acquisition of approximately 563 acres to the southeast - 324 acres in fee title and 239 acres in avigation easements – are proposed for the recommended runway extension and future runway protection zone.

The 563 acres are proposed for potential annexation into the City of Visalia. No development is proposed within this acreage and the zoning and General Plan designations are proposed to remain as "Agriculture."

These changes are discussed relative to ALUC concerns in the following sections.

## 5.2.2 COMPREHENSIVE AIRPORT LAND USE PLAN

### 5.2.2.1 Safety Compatibility Zones

The proposed safety compatibility zones are illustrated on Figure VIS-2 and are based upon existing Runway 12-30 being lengthened from 6,559 feet to 8,000 feet, as noted in the previous section. The safety compatibility zone dimensions are based on those for a long general aviation runway length of over 6,000 feet shown on Figure 3A of the 2011 Caltrans *Handbook*. The additional runway length will elongate the 1995 ALUC safety zones, airspace protection surfaces and aircraft overflight policies into agricultural areas further southeast of the Airport. The fee title and avigation easement land acquisitions recommended in the Airport Master Plan support the runway extension, but are not sufficient to protect public health and safety throughout the Airport Influence Area.

### 5.2.2.2 Noise Compatibility

Aircraft operations at the Airport, estimated to total 26,000 annual aircraft operations in 2001, are forecast to increase to 33,000 annual aircraft operations by 2019. Almost 80 percent of these aircraft operations are estimated to be itinerant operations and the mix of aircraft types forecast suggests an increasing percentage of small business jet and turboprop aircraft. In combination with the runway length extension additional aircraft operations will extend the influence of aircraft noise further from the Airport. The 55, 60, and 65 CNEL aircraft noise exposure contours for 2019 for Visalia Municipal Airport are illustrated on Figure VIS-3 and are based upon extending Runway 12-30 as noted above.

The forecast 65 dB CNEL aircraft noise exposure contour extends beyond the northwestern boundary of the Airport over the State Highway 99/State Highway 198 interchange. The forecast 65 dB CNEL aircraft noise exposure contour extends over adjacent City Park property to the east and agricultural land to the south. No sensitive noise receptors (e.g., residences, schools, hospitals) are located within the 65 dB CNEL aircraft noise exposure contour. The forecast 60 dB CNEL aircraft noise exposure contour also does not extend over any sensitive noise receptors.

### 5.2.2.3 Airspace Protection Surfaces

The Airport Master Plan identifies a 50 to 1 approach surface to the end of Runway 30 for existing precision instrument approach procedures (ILS RWY 30) and a 34 to 1 approach surface to the end of Runway 12 for existing nonprecision instrument approach procedures (RNAV GPS RWY 12). The FAR Part 77 imaginary surfaces at the Visalia Municipal Airport, based on the Airport Master Plan, are illustrated on Figure VIS-4. Both the conical surface and the horizontal surface will extend further to the south than in the previous CALUP due to the proposed runway extension. The FAR Part 77 conical surface, which the Tulare County ALUC uses to define the Airport Influence Area, extends out 14,000 feet from the primary surface. The horizontal surface extends out 10,000 feet from the primary surface.

## 5.2.3 AIRPORT SPECIFIC ALUC POLICIES

The ALUC has identified no special policies for the Visalia Municipal Airport.

### 5.2.4 LAND USE AND AVAILABLE LAND USE CONTROLS

Land uses within the Airport Influence Area include industrial, commercial, residential and agricultural. There is also an open space park and recreation area located next to the Airport which includes softball fields, tennis courts, a golf course and picnic areas. The most sensitive land uses in the area are within the unincorporated community of Goshen located northwest of the Airport and within residential areas located east of the Airport. These areas are within Safety Compatibility Zone 6. According to the 2004 Airport Master Plan Initial Study/Mitigated Negative Declaration, agricultural, industrial and highway commercial uses exist to the north; agricultural uses are located to the east; and agricultural uses are located to the south and west. State Highway 99 is located immediately to the west and State Highway 198 is located immediately to the north of the Airport. A park and golf course to the east are on airport property.

Land use controls within the Visalia Municipal Airport Influence Area are primarily based upon the City of Visalia General Plan and Zoning Ordinance, which applies to the incorporated areas and the Tulare County General Plan and Zoning Ordinance, which applies to the unincorporated areas. In addition, Tulare County's Goshen Community Plan regulates a small portion of the area northwest of the Airport.

The City of Visalia Zoning Ordinance, Chapter 17.50, "Airport Zoning," implements the Airport Approaches Zoning Law of the State of California and generally reflects ALUC height control policies in the 1995 version of the CALUP. Portions of this chapter of the City zoning ordinance, including the Airport Zoning Map, will need to be revised to be consistent with ALUC policies expressed in Sections 1 through 4. The Airport Zoning ordinance includes no references to ALUC policies, procedures, or standards.

The County of Tulare Zoning Ordinance includes Section 14.1, "Airport Impact Zone" (also referred to as the "AP" zone). This ordinance implements land use policies for airport impact areas identified within the County General Plan. The ordinance provides a listing of permitted and specifically restricted land uses. Residential land uses are specifically restricted from the Airport Impact Zone. Separately in the Ordinance Code of the County, Part VII, Chapter 13, "Airport Zoning Regulations" implements the California Airport Approaches Zoning Law, which provides limits to the height of structures and trees in specifically defined zones. The County's Airport Zoning Map is established through this ordinance and Part 3 of the Airport Zoning Map applies specifically to the Visalia Municipal Airport. Portions of both of these County ordinances will need to be revised to be consistent with ALUC policies expressed in Sections 1 through 4. It should be noted that the neither ordinance includes references to ALUC policies, procedures, or standards.

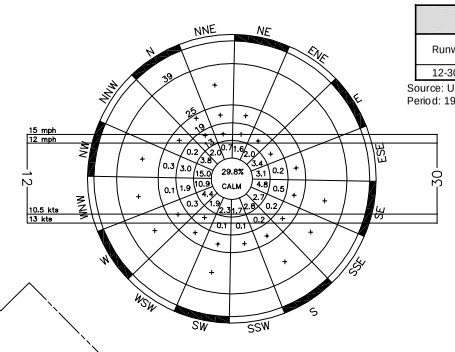
## BUILDING & FACILITY LEGEND

| | |
|---|---|
| 1 AIRLINE TERMINAL | 12 CITY T-HANGARS (20 UNITS) |
| 2 RENTAL CAR PARKING | 13 CITY T-HANGARS (42 UNITS) |
| 3 EXECUTIVE TERMINAL | 14 A.R.F.F. BUILDING/FIRE STATION |
| 4 TRANSIENT RAMP | 15 LIGHTED WIND CONE |
| 5 FUEL ISLAND | 16 HOTEL |
| 6 CITY T-HANGARS (31 UNITS) | 17 COMPASS PAD |
| 7 BASED AIRCRAFT RAMP | 18 LOCALIZER ANTENNA & BUILDING |
| 8 FIXED BASE OPERATION | 19 GLIDE SLOPE (EXISTING & FUTURE) |
| 9 LARGE AIRCRAFT HANGARS | 20 FUTURE AVIATION USE |
| 10 WASH RACK | 21 FUTURE LARGE AIRCRAFT HANGARS |
| 11 HELICOPTER PARKING PADS | 22 FUTURE AIRCRAFT STORAGE HANGARS |

## WIND COVERAGE

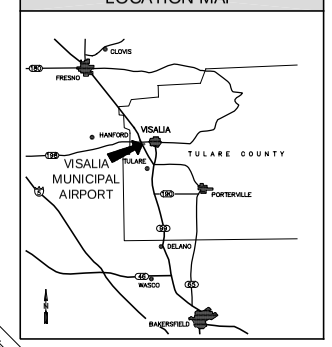
| Runway | 12 M.P.H. (10.5 Knots) | 15 M.P.H. (13 Knots) |
|---|---|---|
| 12-30 | 99.7% | 99.8% |

Source: U.S. Department of Commerce Weather Bureau
Period: 1951 - 1960




WIND ROSE

## LOCATION MAP







## AIRPORT DATA

| | | EXISTING | FUTURE |
|---|---|---|---|
| AIRPORT SERVICE LEVEL (NPIAS) | | Air Carrier | No Change |
| AIRPORT REFERENCE CODE | | C-III | No Change |
| CRITICAL AIRCRAFT | | B737-200 | No Change |
| AIRPORT REFERENCE POINT (a) | Latitude | 36° 19' 07.2" N | 36° 18' 57.6" N |
| | Longitude | 119° 23' 34.4" W | 119° 23' 18.60" W |
| AIRPORT ELEVATION (Above Mean Sea Level) | | 292' | 293' |
| MEAN MAX. TEMP. (Hottest Month) | | 101° F (July) | No Change |
| TERMINAL NAVIGATIONAL AIDS | | VOR,DME,NDB,GPS | No Change |
| GPS APPROACH ESTABLISHED | | Yes | No Change |
| AIRPORT ACREAGE | Fee Simple | 712 | 1,036 |
| | Easement | 10 | 249 |
| BASED AIRCRAFT SPACES | Tiedowns | 60 | No Change |
| | Individual Hgr. Units | 130 | 190 |

## DRAWING LEGEND

| | EXISTING | FUTURE |
|---|---|---|
| ACTIVE AIRFIELD PAVEMENT | | |
| OTHER PAVEMENT IN USE | | |
| DIRT OR GRAVEL ROAD | | |
| AIRPORT PROPERTY LINE | | |
| OTHER PROPERTY LINES | | |
| AVIGATION EASEMENT | | |
| INTERNAL BOUNDARY (lease, R.O.W. etc.) | | |
| CRITICAL AIRFIELD AREAS * | XYZ | XYZ |
| BUILDING | | |
| BUILDING TO BE REMOVED | | |
| FENCE | | |
| WIND CONE | | |
| TOPOGRAPHIC CONTOURS | | |
| WATERWAY / CULVERT | | |
| AIRPORT REFERENCE POINT | | |

* APL - Aircraft Parking Limits
BRL - Building Restriction Line
GCA - Glide slope Critical Area
LCA - Localizer Critical Area
OFA - Object Free Area
OFZ - Obstacle Free Zone
RPZ - Runway Protection Zone
RSA - Runway Safety Area

## RUNWAY DATA

| | | | RUNWAY 12-30 | |
|---|---|---|---|---|
| | | | EXISTING | FUTURE |
| AIRPORT REFERENCE CODE | | | C-III | No Change |
| CRITICAL AIRCRAFT | | | B737-200 | No Change |
| WIND COVERAGE (15 MPH) | | | 99.7% | No Change |
| PHYSICAL LENGTH AND WIDTH | | | 6,559' X 150' | 8,000 X 150' |
| MAXIMUM ELEVATION (Above Mean Sea Level) | | | 292' | 293' |
| EFFECTIVE GRADIENT | | | 0.05% | No Change |
| RUNWAY/TAXIWAY SURFACE TYPE | | | Asphalt | No Change |
| PAVEMENT STRENGTH (1,000#) - S/D/DT | | | 60/100/160 | No Change |
| RUNWAY SAFETY AREA (Width) | | | 500' | No Change |
| RUNWAY SAFETY AREA (Length Beyond Runway End) | | 12 | 250' | 1,000' |
| | | 30 | 1,000' | No Change |
| APPROACH TYPE [FAR Part 77 Category] | Approach End of Runway | 12 | Nonprecision [C(NP)] | No Change |
| | | 30 | Precision [PIR] | No Change |
| APPROACH VISIBILITY (Minimums) | Approach End of Runway | 12 | 1 Mile | No Change |
| | | 30 | 1/2 Mile | No Change |
| APPROACH SLOPE (Required/Clear) | Approach End of Runway | 12 | 34:1/43:1 (e) | 34:1/34+:1 |
| | | 30 | 50:1/49:1 (f) | 50:1/50+:1 |
| APPROACH AND LANDING AIDS | Approach End of Runway | 12 | VASI,REIL | No Change |
| | | 30 | MALSR,LOC,GS,PAPI | No Change |
| RUNWAY END COORDINATES (a) | Approach End of Runway 12 | Latitude | 36° 19' 30.00" N | 36° 19' 25.2" N |
| | | Longitude | 119° 24' 02.80" W | 119° 23' 52.86" W |
| | Approach End of Runway 30 | Latitude | 36° 18' 44.30" N | 36° 18' 29.4" N |
| | | Longitude | 119° 23' 05.93" W | 119° 22' 43.78" W |
| RUNWAY MARKING | | | Precision | No Change |
| RUNWAY LIGHTING | | | High Intensity | No Change |
| TAXIWAY LIGHTING | | | Med. Intensity | No Change |

## ALP NOTES

(a) Airport coordinate data source: NOS Airport Obstruction Chart (April 2001). Data is NAD 83 and NAVD 88. Future coordinates estimated.

(b) Road alignment is approximate and may change when the engineering design is prepared.

(c) Estimated; actual elevation will be developed when engineering design is prepared.

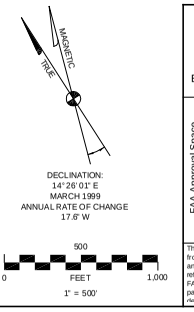
(d) To be relocated or closed.

(e) Clear slope to the displaced threshold.

(f) Based upon tree located off of airport property; removal of two trees on airport required.

(g) Perimeter fence penetrates threshold siting surface for Runway 12. Existing displaced threshold provides required clearance.

(h) Deviations From FAA Standards:
Runway to taxiway separation is 350'. C-III standard runway to taxiway separation is 400. No change is planned.
Runway 12 RSA 450 beyond runway end on centerline. As an initial step, threshold to be displaced 750 feet from physical end of Runway 12. Displaced threshold to be converted to a relocated runway end when runway is extended. Future RSA will be 1,000 beyond runway end.




SUBMITTED BY:
City of Visalia

By _____ Date

| NO. | REVISION | SPONSOR | DATE |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| 1. | OFZ and Threshold Siting Surface notes added | | 3-18-05 |

FAA Approval Space

# VISALIA MUNICIPAL AIRPORT
VISALIA, CALIFORNIA

# AIRPORT LAYOUT PLAN

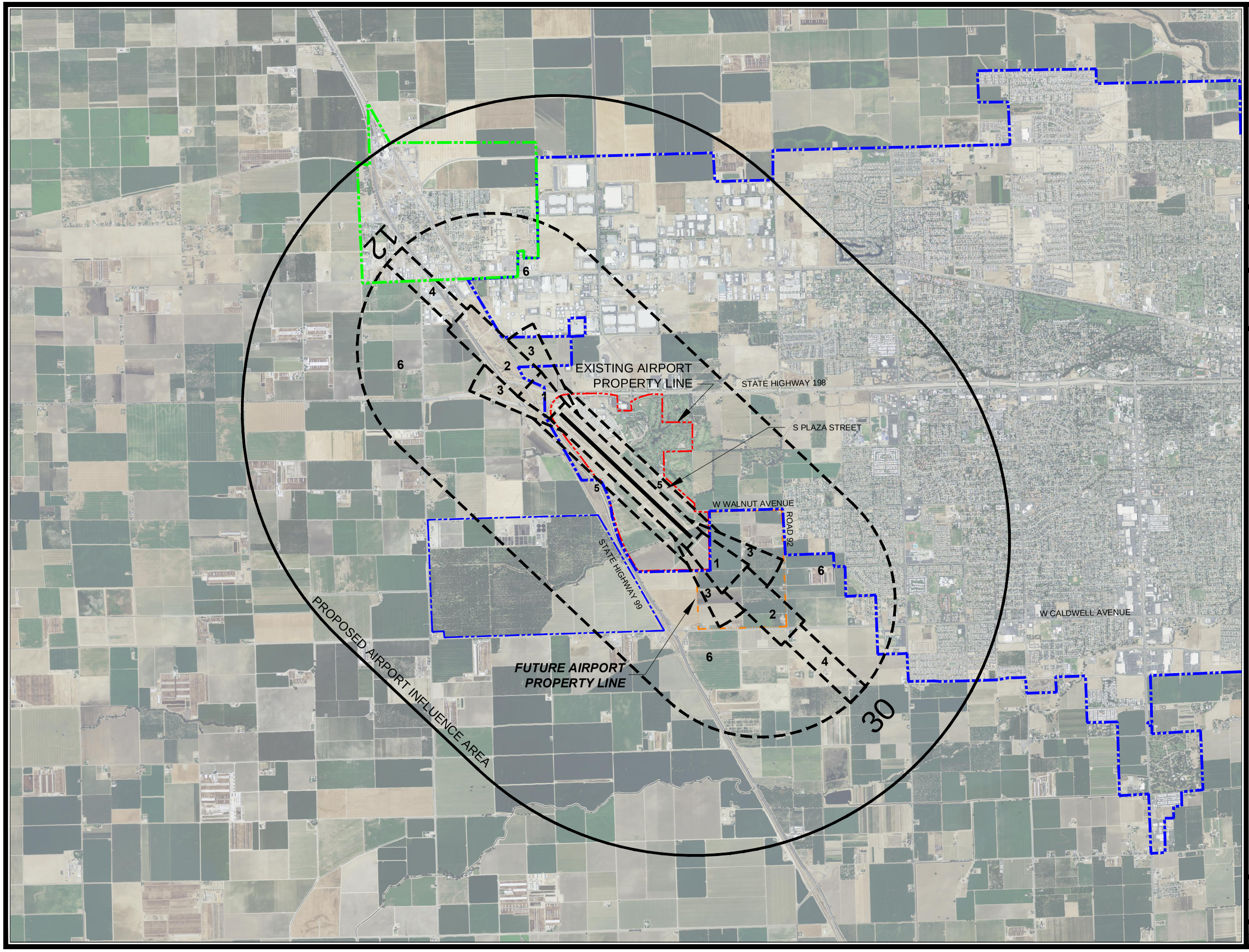
SHUTT MOEN ASSOCIATES
AIRPORT CONSULTANTS & ENGINEERS
707 Aviation Blvd., Santa Rosa, California 95403

CITY OF VISALIA

The preparation of these documents was financed in part through a planning grant from the Federal Aviation Administration as provided under Section 505 of the Airport and Airway Improvement Act of 1982, as amended. The contents do not necessarily reflect the official views or policy of the FAA. Acceptance of these documents by the FAA does not in any way constitute a commitment on the part of the United States to participate in any development depicted herein nor does it indicate that the proposed development is environmentally acceptable in accordance with appropriate public laws.

| DESIGN: | DD | DRAWN: | TE | DATE: | MARCH 2001 | SHEET | 1 | OF | 3 |
|---|---|---|---|---|---|---|---|---|---|

FIGURE VIS-1




# VISALIA MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |
| | GOSHEN COMMUNITY PLAN |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

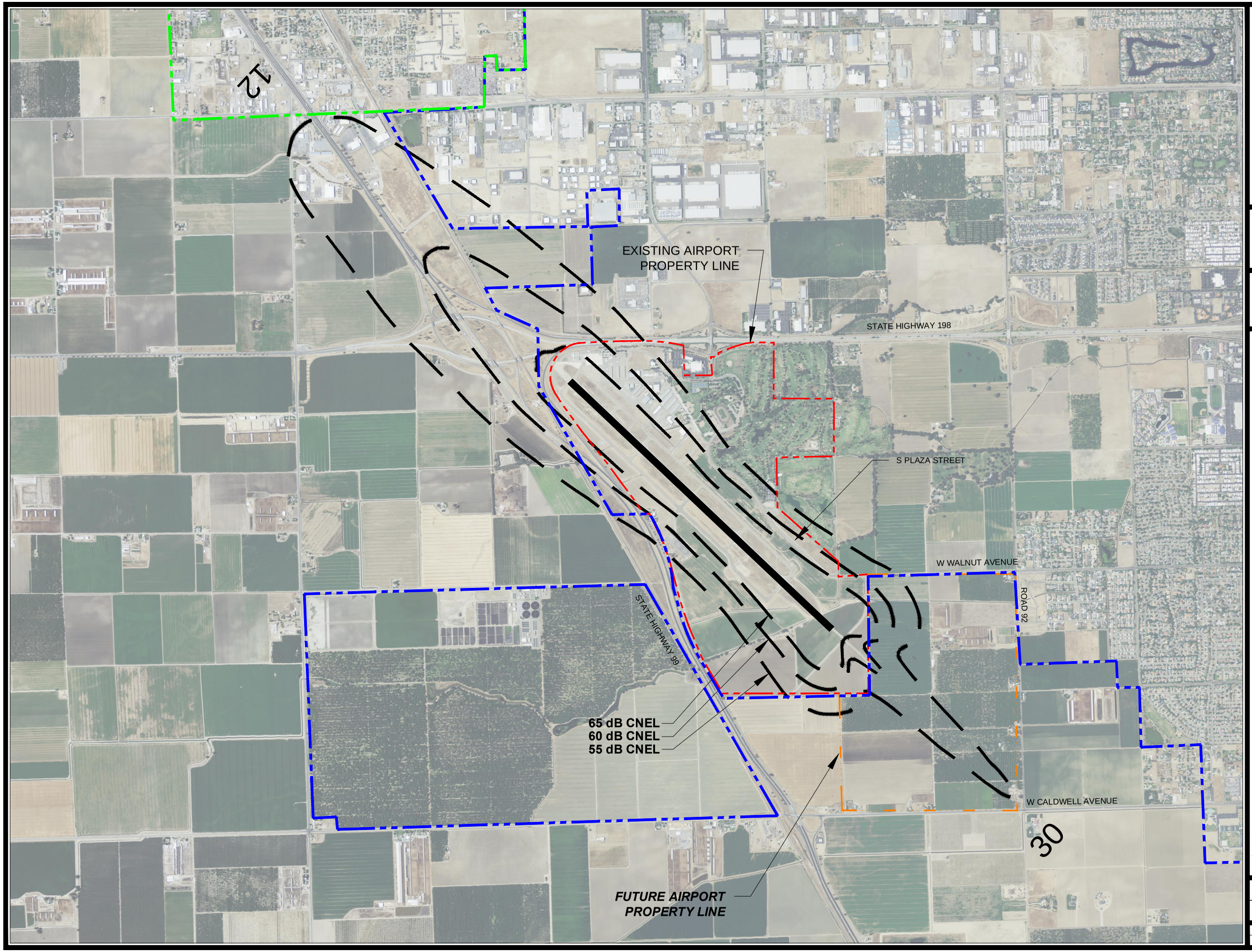
MAGNETIC NORTH
15°E(2003)

0 2,000 4,000
1,000 3,000
GRAPHIC SCALE IN FEET

**NOTE:**
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| VISALIA MUNICIPAL AIRPORT | FIGURE VIS-2 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: VIS-02-Runway Safety Area1.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=4,000' |




# VISALIA MUNICIPAL AIRPORT

## 2019 AIRCRAFT NOISE CONTOURS

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |
| | GOSHEN COMMUNITY PLAN |

MAGNETIC NORTH
15°E(2003)

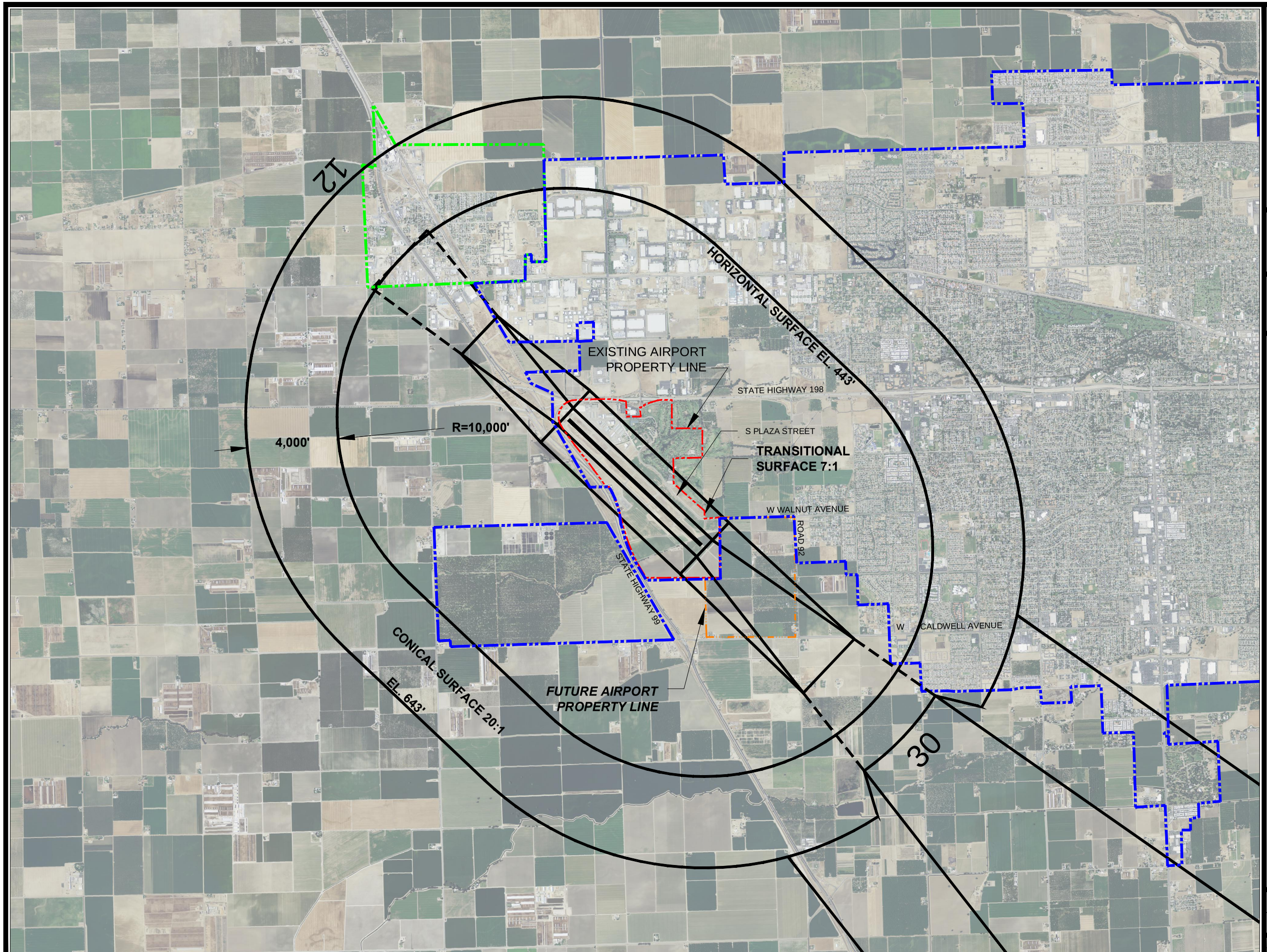
TRUE NORTH

0 1,000 2,000
500 1,500
GRAPHIC SCALE IN FEET

**NOTE:**
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| VISALIA MUNICIPAL AIRPORT | FIGURE VIS-3 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: VIS-03-Noise Contours1.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=2,000' |




# VISALIA MUNICIPAL AIRPORT

## FAR PART 77 IMAGINARY SURFACES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE FAR PART 77 |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |
| | GOSHEN COMMUNITY PLAN |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 2,000 4,000
1,000 3,000
GRAPHIC SCALE IN FEET

**NOTE:**

THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| VISALIA MUNICIPAL AIRPORT | FIGURE VIS-4 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: VIS-04-Part-771.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=4,000' |

## 5.3 PORTERVILLE MUNICIPAL AIRPORT

### 5.3.1 AIRPORT

The Porterville Municipal Airport is located about 3 miles southwest of the center of the City of Porterville within the City limits. The Airport is accessed from South Newcomb Street and is close to the intersection of State Highways 65 and 190. The Airport is located on about 940 acres of land at an elevation of 442 feet above mean sea level. The Airport is owned by the City of Porterville and serves Porterville as well as the southeast portion of Tulare County.

The Airport is classified as a General Aviation Airport in the *National Plan of Integrated Airport Systems* (NPIAS). General aviation airports serve those communities that do not receive scheduled commercial service. The Airport is designated as an airport reference code (ARC) B-II by FAA. The Airport is classified as a Regional Airport in the *California Aviation System Plan* (CASP). Regional airports provide access to other regions and states. They serve a larger population base than Community airports and a smaller population base than Metropolitan airports. In general, they have a concentration of business aircraft operations greater than at Community airports and lesser than Metropolitan airports. They provide most services for pilots and aircraft, including aviation fuel, and they have a published instrument flight rules (IFR) approach.

The 5,908 foot by 150 foot Runway 12-30 is oriented northwest to southeast. There are left-hand traffic patterns for both runway ends. According to the latest *Airport Layout Plan Narrative Report*, prepared in 2006, there were an estimated 51,200 annual aircraft operations at the Airport in 2003. In addition to the general aviation activity, there is a U.S. Forest Service/Cal Fire fire fighting facility located on the Airport.

The most recent Airport Master Plan for Porterville Municipal Airport was prepared in 1977. The City of Porterville prepared an *Airport Layout Plan Narrative Report* for the Airport in 2006 and the Airport Layout Plan is illustrated on Figure PTV-1. Approval has been received from Caltrans, Division of Aeronautics, to use the Airport Layout Plan as the base for the Comprehensive Airport Land Use Plan (CALUP). The Airport Layout Plan proposes the following changes that are relevant to the standards and policies of the CALUP.

- Runway 12-30 is proposed to be extended to the southeast by 1,742 feet and the northwest end of the runway is proposed to be relocated by 650 feet to the southeast for a total length of 7,000 feet.
- Acquisition of approximately 206 acres of land in fee title and avigation easements over 30 acres to the southeast for the recommended runway extension and future runway protection zone.

These changes are discussed relative to ALUC concerns in the following sections.

## 5.3.2 COMPREHENSIVE AIRPORT LAND USE PLAN

### 5.3.2.1 Safety Compatibility Zones

The existing Runway 12-30, currently 5,908 feet long and 150 feet wide, is proposed to be lengthened to the southeast by 1,742 feet. The northwest end of Runway 12-30 is also recommended to be relocated 650 feet to the southeast. The additional length to the south will extend ALUC safety compatibility zones and elongate established ALUC airspace protection surfaces and aircraft overflight policies into areas further south of the Airport. The Airport Layout Plan recommends acquisition of approximately 206 acres of land in fee title and avigation easements over 30 acres to the southeast for the recommended runway extension and future runway protection zone. In order to maximize land use compatibility, the safety compatibility zones are based on the existing northwest end of Runway 12 and the future southeast end of Runway 30. The safety compatibility zones are illustrated on Figure PTV-2. The safety compatibility zone dimensions are based on those for a long general aviation runway length of over 6,000 feet shown on Figure 3A of the 2011 Caltrans *Handbook*. These safety compatibility zones are similar, in concept, to those included in the "Airport Environs (AE) Overlay District" prepared by the City of Porterville.

### 5.3.2.2 Noise Compatibility

Aircraft operations at the Airport, estimated to total 51,200 annual aircraft operations in 2003, are forecast to increase to 93,900 annual aircraft operations by 2025. About 60 percent of these aircraft operations are estimated to be itinerant operations and the mix of aircraft types forecast suggests an increasing percentage of small business jet aircraft and other corporate aircraft that use the Airport as well as the U.S. Forest Service/Cal Fire, U.S. Bureau of Land Management and California Highway Patrol aircraft operations. In combination with the additional runway length these increased aircraft operations will increase aircraft noise as well as safety concerns and extend the influence of such noise further from the Airport. The 55, 60, and 65 CNEL aircraft noise exposure contours for 2025 for Porterville Municipal Airport are illustrated on Figure PTV-3.

The forecast 65 dB CNEL aircraft noise exposure contour is within the recommended airport boundary and extends north to Scranton Avenue and south of Tea Pot Dome Avenue. No sensitive noise receptors are located within the 65 dB CNEL aircraft noise exposure contour. The forecast 60 dB CNEL aircraft noise exposure contour extends north of Scranton Avenue, mostly on airport property and south of Tea Pot Dome Avenue outside the recommended future airport boundary. The forecast 60 dB CNEL aircraft noise exposure contour also does not extend over any sensitive noise receptors.

### 5.3.2.3 Airspace Protection Surfaces

The updated Airport Layout Plan identifies a 50 to 1 approach surface to the end of Runway 30 for future precision instrument approach procedures (currently nonprecision GPS RWY 30) and a 34 to 1 approach surface to the end of Runway 12 for existing nonprecision instrument approach procedures (GPS RWY 12). Therefore, the FAR Part 77 conical surface, which the Tulare County ALUC uses to define the Airport Influence Area, continues to extend out 14,000 feet from the primary surface. The FAR Part 77 imaginary surfaces at the Porterville Municipal

Airport, based on the updated Airport Layout Plan, are illustrated on Figure PTV-4. The horizontal surface will continue to extend out 10,000 feet from the primary surface because of the installation of straight-in nonprecision instrument approach procedures and recommended precision instrument approach procedures at the Airport. In order to maximize airspace protection, the FAR Part 77 surfaces are based on the existing northwest end of Runway 12 and the future southeast end of Runway 30. Therefore, the horizontal and conical surfaces will extend further to the southeast with the recommended runway extension to the southeast than in the previous CALUP. These airspace protection surfaces are similar to those included in the "Airport Environs (AE) Overlay District" prepared by the City of Porterville.

### 5.3.3 AIRPORT SPECIFIC ALUC POLICIES

The ALUC is proposing no special policies for the Porterville Municipal Airport. However, as noted in the discussion below, the City of Porterville has established through ordinance a comprehensive set of airport compatibility guidelines similar in many respects to those established by the ALUC in Sections 1 through 4, although there are differences in the shapes and sizes of some zones and in the associated compatibility criteria. These differences have been noted as inconsistencies in the CEQA documentation supporting this Plan and will need to be resolved through ongoing discussions between the City and the ALUC.

### 5.3.4 LAND USE AND AVAILABLE LAND USE CONTROLS

Generally, land use within County areas of the Porterville Municipal Airport Influence Area are primarily agricultural with citrus orchards and field crops making up most of the agriculture uses. Within the City of Porterville, land use in the Airport Influence Area is a mix of commercial and residential activities. The area immediately surrounding the Airport is being developed as an industrial park. A new City fairground has been constructed in the southwest corner of the Airport. These uses are primarily located within Safety Compatibility Zone 6, but extend into Safety Compatibility Zone 3. Northeast of the Airport, within the City of Porterville, residential and commercial areas are located within the Airport Influence Area, but outside Safety Compatibility Zone 6. The Porterville Wastewater Treatment Facility has 880 acres in the reclamation area near the Airport. Approximately 630 acres of the reclamation area are irrigated with reclaimed water and 250 acres are dry farmed and do not receive irrigation effluent. Approximately 66 acres of the reclamation area are available for groundwater recharge when irrigation is not required. In 2011, 71 percent of the total effluent was used for irrigation (March through October) and 29 percent was percolated (November through February). The City has adopted a goal of reducing percolation to less than 50 percent of the annual wastewater effluent flow.

Both the City and County General Plans identify land use patterns that are generally consistent with the ALUC policies expressed in Sections 1 through 4. However, the City's General Plan suggests that sewage treatment ponds and recycling centers may be included in industrial areas near the Airport. These uses would be prohibited by ALUC policies without some additional consideration for potential bird-strike hazards. The City's General Plan includes the Airport as a key aviation facility within the Circulation Element and cites the need for consistency between land uses in the Airport environs and the CALUP.

Land Use controls within the Porterville Municipal Airport Influence Area are provided by the City of Porterville General Plan and Zoning Ordinance and the Tulare County General Plan and Zoning Ordinance. The City of Porterville has established the "Airport Environs (AE) Overlay District" (Chapter 500) within its zoning ordinance. The AE Overlay District ordinance provides

a comprehensive set of compatibility guidelines for noise exposure, safety, aircraft overflight and airspace protection. However, the Airport Safety Zones documented in the "Airport Environs (AE) Overlay District" zoning ordinance Map 500-2 are similar in character and associated restrictions, but different in size (generally smaller) to those established by the ALUC in the CALUP Update. The impact of this difference is that some areas that should be safety protected are not subject to the restrictions of the ordinance. These differences have been noted as inconsistencies in the CEQA documentation supporting this Plan and will need to be resolved through ongoing discussions between the City and the ALUC.

As noted previously, the County of Tulare Zoning Ordinance includes Section 14.1, “Airport Impact Zone” (or “AP” zone) which implements land use policies for airport impact areas identified within the County General Plan. The ordinance provides a listing of permitted and specifically restricted land uses. Residential land uses are specifically restricted from the Airport Impact Zone. Separately in the Ordinance Code of Tulare County, Part VII, Chapter 13, “Airport Zoning Regulations” implements the California Airport Approaches Zoning Law, which provides limits to the height of structures and trees in specifically defined zones. The County’s Airport Zoning Map is established through this ordinance and Part 1 of the Airport Zoning Map applies specifically to the Porterville Municipal Airport. Portions of both of these County ordinances will need to be revised to be consistent with ALUC policies expressed in Sections 1 through 4. It should be noted that the neither ordinance includes references to ALUC policies, procedures, or standards.

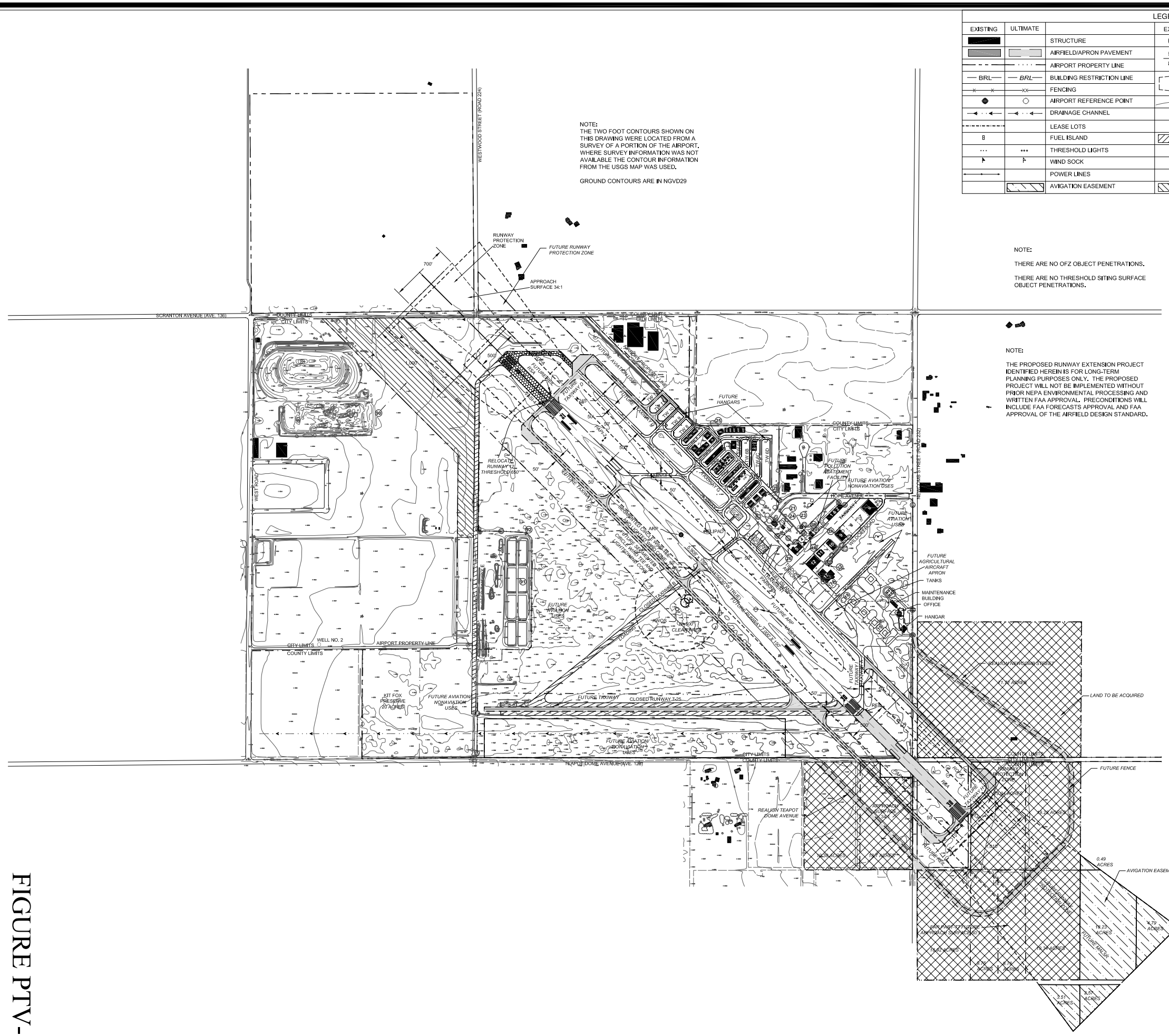



FIGURE PTV-1

# PORTERVILLE MUNICIPAL AIRPORT

## AIRPORT LAYOUT PLAN -ULTIMATE

TRUE NORTH
MAGNETIC NORTH 15°E(2003)

0 600
150 1200
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

THE PREPARATION OF THIS DOCUMENT WAS FINANCED IN PART THROUGH AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM THE FEDERAL AVIATION ADMINISTRATION UNDER THE PROVISIONS OF SECTION 505 OF THE AIRPORT AND AIRWAY IMPROVEMENT ACT OF 1982, AS AMENDED, THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OR POLICY OF THE FAA. ACCEPTANCE OF THIS DOCUMENT BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE UNITED STATES TO PARTICIPATE IN ANY DEVELOPMENT DEPICTED THEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.

| NO. | REVISIONS | DATE |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| 1 | ALP APPROVED | 07/12/90 |

FAA APPROVAL

BY _____
CITY OF PORTERVILLE DATE

ARIES CONSULTANTS LTD.

PORTERVILLE MUNICIPAL AIRPORT
TULARE COUNTY, CALIFORNIA
SHEET 1 OF 7

NAME:PTV-1 & 6-ALP-B.dwg
DATE: April 03, 2006
NO: 4430-01
PLOT SCALE: 1"= 1,200'

# PORTERVILLE MUNICIPAL AIRPORT

## SAFETY ZONES

LEGEND

| SYMBOLS | TEXTS |
|---|---|
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 2,000 4,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE: THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

PORTERVILLE MUNICIPAL AIRPORT
TULARE COUNTY, CALIFORNIA

FIGURE
PTV-2

NAME: PTV-02-Runway Safety1.dwg | NO: 4350-02
DATE: Sep 27, 2012 | PLOT SCALE: 1"=4,000'

STATE HIGHWAY 190

NEWCOMB

SCRANTON

WEST

12

25

FUTURE AIRPORT
PROPERTY LINE

TEAPOT DOME

EX□ST□NG A□□O□T
□□O□E□TY L□NE

65 dB □NEL
6□ dB □NEL
55 dB □NEL

STATE HIGHWAY 65

30

# PORTERVILLE MUNICIPAL AIRPORT

## 2□25 A□□□AFT NO□SE □ONTO□□S

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 1,000 2,000
500 1,500
GRAPHIC SCALE IN FEET

**NOTE:**
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| PORTERVILLE MUNICIPAL AIRPORT | FIGURE PTV-3 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: PTV-03-Noise Contours1.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=2,000' |

HORIZONTAL SURFACE EL. 596'

STATE HIGHWAY 190

NEWCOMB

SCRANTON

R=10,000'

4,000'

WEST

STATE HIGHWAY 65

TEAPOT DOME

EXISTING AIRPORT PROPERTY LINE

TRANSITIONAL SURFACE 7:1

FUTURE AIRPORT PROPERTY LINE

12

30

CONICAL SURFACE 20:1

EL. 796'

NOTE: THE VERTICAL DATUM IS NGVD29

# PORTERVILLE MUNICIPAL AIRPORT

## FAR PART 77 IMAGINARY SURFACES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE FAR PART 77 |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

TRUE NORTH

MAGNETIC NORTH 15°E(2003)

0 2,000 4,000

1,000 3,000

GRAPHIC SCALE IN FEET

NOTE:

THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| PORTERVILLE MUNICIPAL AIRPORT | FIGURE PTV-4 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: PTV-04-Part-77-21.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=4,000' |

## 5.4 TULARE MUNICIPAL AIRPORT—MEFFORD FIELD

### 5.4.1 AIRPORT

Tulare Municipal Airport is located 3 miles southeast of the center of the City of Tulare at an elevation of 265 feet mean sea level. The Airport is adjacent to State Highway 99 and is accessed via Avenue 200. This 206-acre airport is owned and managed by the City of Tulare and serves the west central portion of Tulare County.

The Airport is classified as a General Aviation Airport in the FAA *National Plan of Integrated Airport Systems* (NPIAS). General aviation airports serve those communities that do not receive scheduled commercial service. The Airport is designated as an airport reference code (ARC) B-II airport by the FAA. The Airport is classified as a Regional Airport in the *California Aviation System Plan* (CASP). Regional airports provide access to other regions and states. They serve a larger population base than Community airports and a smaller population base than Metropolitan airports. In general, they have a concentration of business aircraft operations greater than at Community airports and lesser than Metropolitan airports. They provide most services for pilots and aircraft, including aviation fuel, and they have a published instrument flight rules (IFR) approach.

Runway 13-31 is 3,901 feet long and 75 feet wide. Like most other airports in the area, it is oriented northwest to southeast consistent with prevailing wind patterns. There are left-hand traffic patterns for both runway ends. According to the latest *Airport Master Plan*, adopted in May 2006, there were an estimated 10,800 annual aircraft operations at the Airport in 2003. There are some agricultural aircraft operations at the Airport.

The updated Airport Master Plan for Tulare Municipal Airport-Mefford Field is illustrated on Figure TLR-1. The Airport Master Plan proposes the following changes that are relevant to the standards and policies of the Comprehensive Airport Land Use Plan (CALUP).

- Runway 13-31 is proposed to be extended to the southeast to 5,000 feet.
- Acquisition of approximately 33 acres of land in fee title plus an avigation easement over approximately 7 acres to the south for the recommended runway extension and future runway protection zone.
- The updated Airport Master Plan identifies 34 to 1 nonprecision approaches to both ends of the runway.

These changes are discussed relative to ALUC concerns in the following sections.

### 5.4.2 COMPREHENSIVE AIRPORT LAND USE PLAN

#### 5.4.2.1 Safety Compatibility Zones

The existing Runway 13-31, currently 3,914 feet long and 75 feet wide, is proposed to be lengthened to the southeast to 5,000 feet. The additional length will elongate established ALUC airspace protection surfaces and extend ALUC safety zones and aircraft overflight policies into areas further north and south of the Airport. The updated Airport Master Plan recommends acquisition of approximately 33 acres of land in fee title plus an avigation easement over

approximately 7 acres to the south for the recommended runway extension and future runway protection zone. The safety compatibility zones are illustrated on Figure TLR-2. The safety compatibility zone dimensions are based on those for a medium general aviation runway length of 4,000 feet to 5,999 feet shown on Figure 3A of the 2011 Caltrans *Handbook*.

#### 5.4.2.2 Noise Compatibility

Aircraft operations at the Airport, estimated to total 10,800 annual aircraft operations in 2003, are forecast to increase to 17,200 annual aircraft operations by 2025. Almost 90 percent of these aircraft operations are estimated to be itinerant operations and the mix of aircraft types forecast suggests an increasing percentage of small jet aircraft. In combination with the additional runway length these increased aircraft operations will increase aircraft noise as well as safety concerns and extend the influence of such noise further from the Airport. The 55, 60, and 65 CNEL aircraft noise exposure contours for 2025 for Tulare Municipal Airport-Mefford Field are illustrated on Figure TLR-3.

The forecast 65 dB CNEL aircraft noise exposure contour is within the recommended airport boundary. The forecast 60 dB CNEL aircraft noise exposure contour generally is within the recommended airport boundary and extends northwest to State Highway 99 and south of Hosfield Drive. A portion of the 60 dB CNEL aircraft noise exposure contour extends east of Laspina Street by the golf course. The forecast 60 and 65 dB CNEL aircraft noise exposure contours do not extend over any sensitive noise receptors.

#### 5.4.2.3 Airspace Protection Surfaces

The updated Airport Master Plan identifies 34 to 1 approach surfaces to both ends of the runway for non-precision instrument approach procedures (existing RNAV {GPS} RWY 13 and future RNAV {GPS} RWY 31) rather than the 20 to 1 visual approach surfaces previously identified in the CALUP. Therefore, the Federal Aviation Regulations (FAR) Part 77 conical surface, which the Tulare County ALUC uses to define the Airport Influence Area, now extends out 14,000 feet from the primary surface. Previously, the conical surface extended only 9,000 feet from the primary surface. The FAR Part 77 imaginary surfaces at the Tulare Municipal Airport-Mefford Field based on the updated Airport Master Plan are illustrated on Figure TLR-4. The horizontal surface now extends out 10,000 feet from the primary surface because of the installation of straight-in nonprecision instrument approach procedures at the Airport rather than the 5,000 feet in the previous CALUP.

### 5.4.3 AIRPORT SPECIFIC ALUC POLICIES

Based upon previously-adopted amendments to the CALUP that were uniquely applicable to the City of Tulare, the ALUC adds the following special policies for the Tulare Municipal Airport:

- Itinerant recreational vehicle parking shall be allowed in Safety Compatibility Zone 3 east of South Laspina Street and north of the Tulare Golf Course.

- The University of California Davis shall be allowed to expand existing training and research facilities into Safety Compatibility Zone 6 subject to County approval, but shall not be permitted to place any educational facilities in Safety Compatibility Zones 1 through 5.
- Within the City of Tulare, Rural Residential (R-A) Zone District shall be allowed in Safety Compatibility Zone 6 with a 40,000 square foot minimum site area.

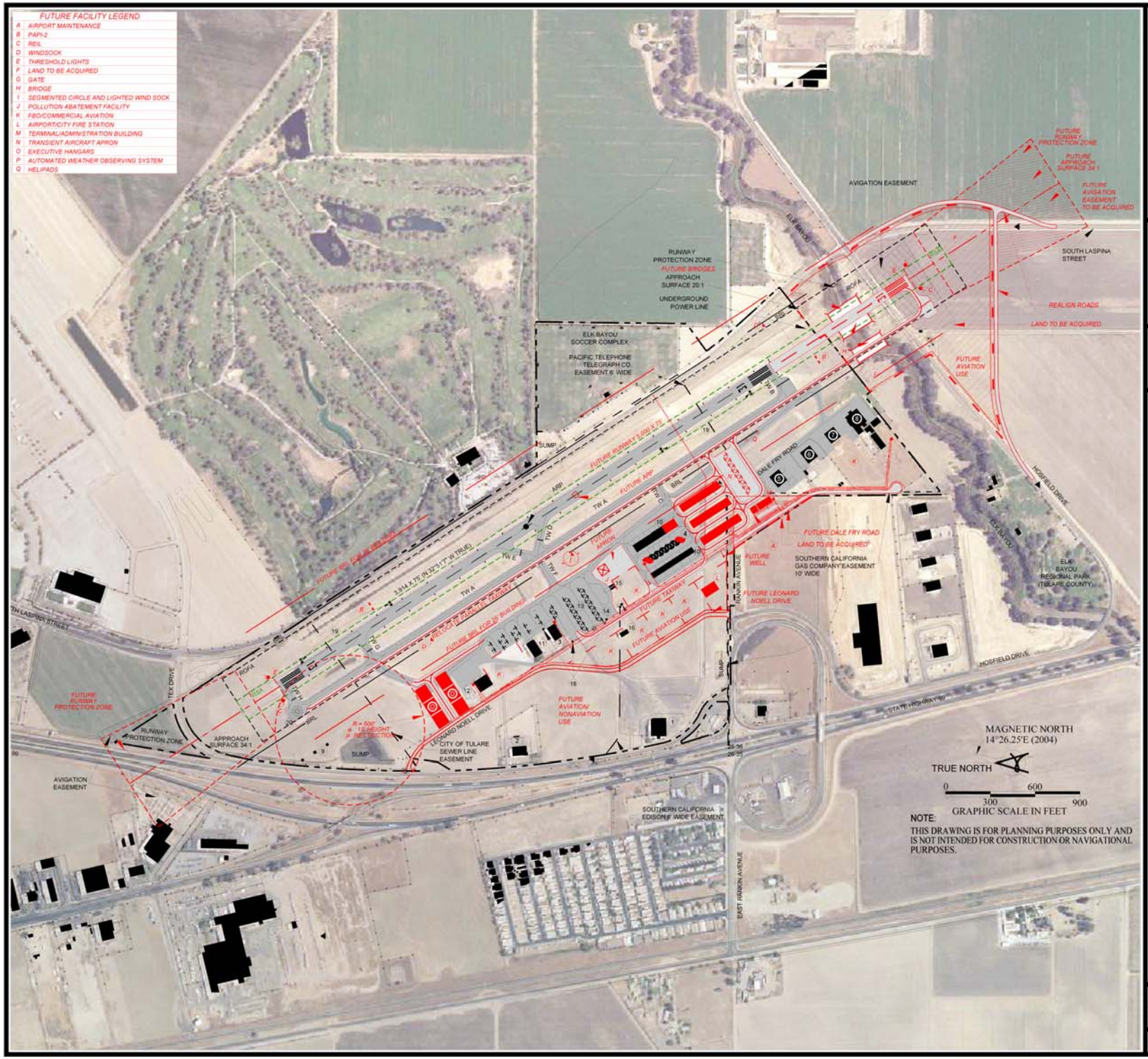
### 5.4.4 LAND USE AND AVAILABLE LAND USE CONTROLS

Land uses in the Tulare Municipal Airport Influence Area include the International Agri-Center facilities which are located just northeast of the Airport. Areas near State Highway 99 and Union Pacific Railroad tracks are designated and comprised of various commercial and industrial enterprises. These areas are partially located within all of the Airport safety compatibility zones, including the runway protection zone (Zone 1) itself. In addition, a residential area (mobile home park) is located northwest of the Airport and partially within Safety Compatibility Zone 6. A small portion of this residential area is also located within Safety Compatibility Zone 4. There is another mobile home park west of the Airport and State Highway 99 that is partially within Safety Compatibility Zone 6. There is also some residential use to the northeast of the Airport in Safety Compatibility Zone 6. The remainder of the surrounding land is devoted to agricultural uses.

Land use controls within the Tulare Municipal Airport Influence Area are primarily based upon the City of Tulare General Plan and Zoning Ordinance, which applies to the incorporated areas and the Tulare County General Plan and Zoning Ordinance, which applies to the unincorporated areas.

Under Chapter 10.100, "Airport", The City of Tulare has established a set of overlay zones and an Airport Zoning Map to implement the California Airport Approaches Zoning Law, which provides limits to the height of structures and trees in specifically defined zones.

As noted previously, the County of Tulare Zoning Ordinance includes Section 14.1, "Airport Impact Zone" (or "AP" zone) which implements land use policies for airport impact areas identified within the County General Plan. The ordinance provides a listing of permitted and specifically restricted land uses. Residential land uses are specifically restricted from the Airport Impact Zone. Separately in the Ordinance Code of Tulare County, Part VII, Chapter 13, "Airport Zoning Regulations" implements the California Airport Approaches Zoning Law. The County's Airport Zoning Map is established through this ordinance and Part 2 of the Airport Zoning Map applies specifically to the Tulare Municipal Airport. Portions of both of these County ordinances will need to be revised to be consistent with ALUC policies expressed in Sections 1 through 4. It should be noted that the neither ordinance includes references to ALUC policies, procedures, or standards.




City of Tulare
Agri-Center Of The World

# TULARE MUNICIPAL AIRPORT- MEFFORD FIELD

## AIRPORT MASTER PLAN

**LEGEND**

| EXISTING | ULTIMATE | |
|---|---|---|
| | | AIRPORT PROPERTY LINE |
| | | BUILDING/FACILITIES |
| | | AIRFIELD/APRON PAVEMENT |
| BRL | FUTURE BRL | BUILDING RESTRICTION LINE (BRL) |
| | | FENCE |
| G | G | GATE |
| | | ROTATING BEACON |
| | | FUEL ISLAND |
| | | AIRPORT REFERENCE POINT (ARP) |
| | | RUNWAY LIGHTS |
| | | THRESHOLD LIGHTS |
| | | WIND SOCK |
| | | REIL |
| | | VASI |
| | | PAPI |
| 170 | | GROUND CONTOURS |
| | | DRAINAGE CHANNEL |
| | | HYDRANT |
| | | POWER LINES |
| | | SEWER LINE |
| | | WATER |
| | | RUNWAY SAFETY AREA |
| | | RUNWAY OBJECT FREE AREA |
| 25 36 / 26 35 | | SECTION CORNER |

**EXISTING FACILITY LEGEND**

| | |
|---|---|
| 1 | CITY LEASE HANGAR |
| 2 | ORCHARD MACHINERY CORPORATION |
| 3 | VALLEY AIR CRAFTS |
| 4 | CITY PORT-A-PORTS |
| 5 | TULARE AG FLYING SERVICE |
| 6 | TULARE MOSQUITO ABATEMENT DISTRICT |
| 7 | BLUE SKY AVIATION |
| 8 | JOHNSTON AIRCRAFT SERVICES |
| 9 | NDB TOWERS |
| 10 | CITY T-HANGARS |
| 11 | VALLEY AVIATION |
| 12 | SYSTEM ONE FILTRATION |
| 13 | AIRCRAFT PARKING APRON |
| 14 | ROTATING BEACON |
| 15 | FUEL ISLAND |
| 16 | ELECTRICAL VAULT |
| 17 | SEGMENTED CIRCLE AND LIGHTED WIND CONE |
| 18 | APRON SECURITY LIGHTS |
| 19 | VASI-2 |
| 20 | COMPASS ROSE |

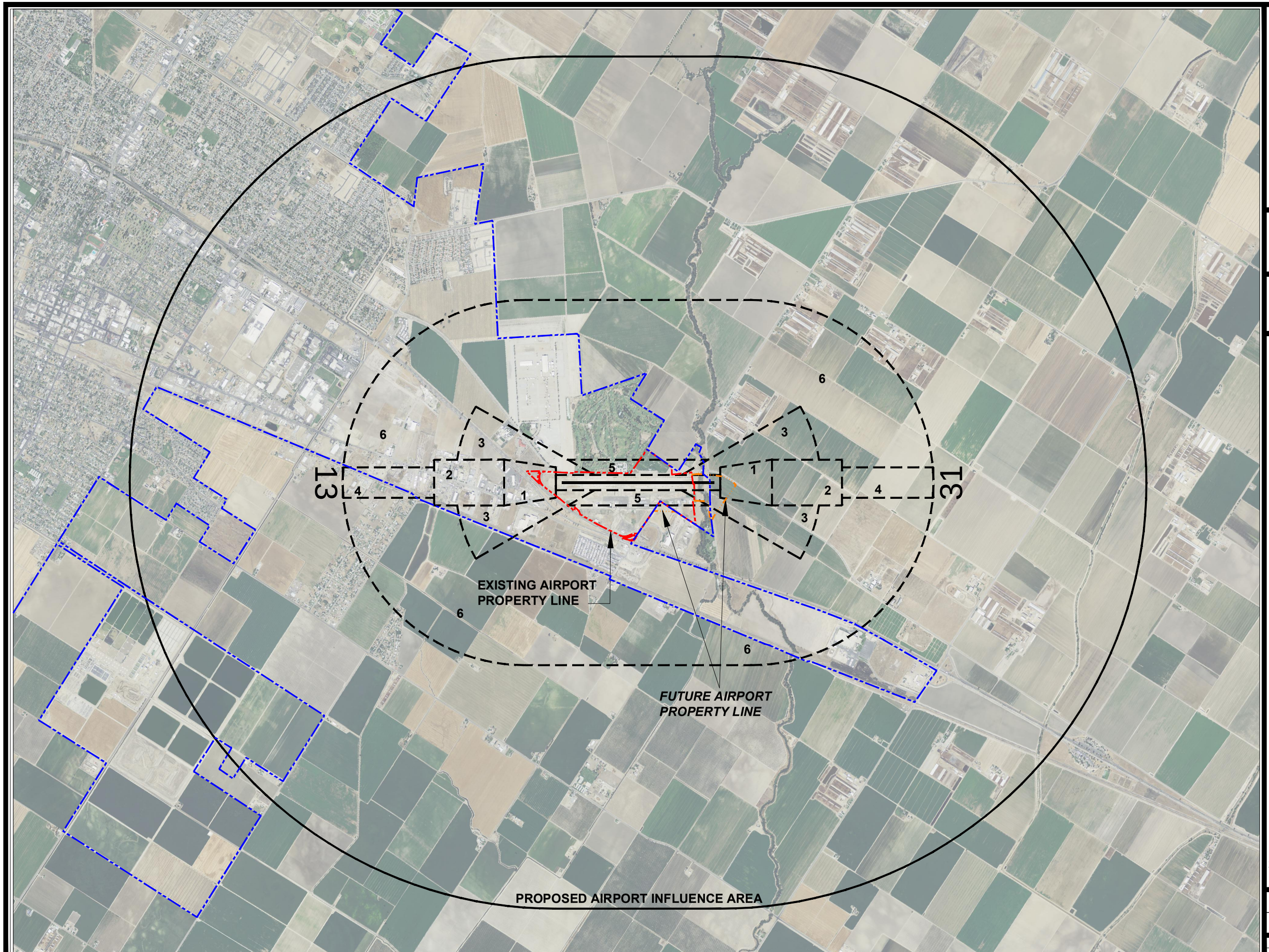
ARIES CONSULTANTS LTD.

TULARE MUNICIPAL AIRPORT
TULARE COUNTY, CALIFORNIA

FIGURE SP-1

NAME: TLR-01-Master Plan.dwg | NO: 4490-05
DATE: 10-07-2009 | PLOT SCALE: 1"= 900'

FIGURE TLR-1




# TULARE MUNICIPAL AIRPORT- MEFFORD FIELD

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER SAFETY ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER SAFETY ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

MAGNETIC NORTH
14°26.25'E (2004)

TRUE NORTH

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

**NOTE:**

THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| TULARE MUNICIPAL AIRPORT | FIGURE TLR-2 |
| TULARE COUNTY, CALIFORNIA | |

| | |
|---|---|
| NAME: TLR-02-Safety Zones-B.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=3,000' |

# TULARE MUNICIPAL AIRPORT- MEFFORD FIELD

## 2025 AIRCRAFT NOISE CONTOURS

SOUTH LASPINA STREET

HOSFIELD

13

31

SOUTH LASPINA STREET

65 dB CNEL
60 dB CNEL
55 dB CNEL

RANKIN AVENUE

*FUTURE AIRPORT PROPERTY LINE*

STATE HIGHWAY 99

EXISTING AIRPORT PROPERTY LINE

UNION PACIFIC RAILROAD

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

MAGNETIC NORTH
14°26.25'E (2004)

TRUE NORTH

0 500 1,000
250 750
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

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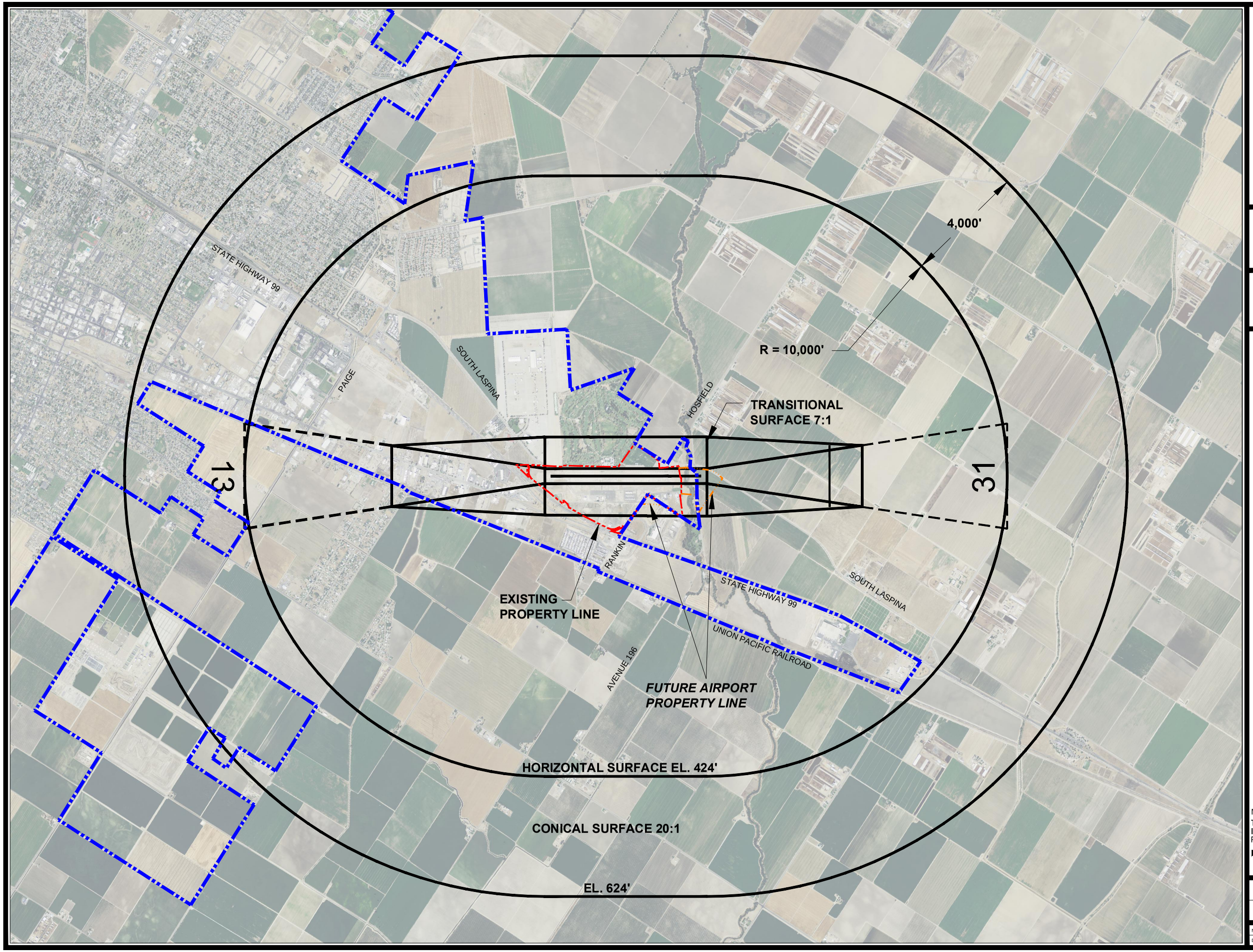
| | |
|---|---|
| TULARE MUNICIPAL AIRPORT | FIGURE TLR-3 |
| TULARE COUNTY, CALIFORNIA | |

| | |
|---|---|
| NAME: TLR-03-Noise Contours-B.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=1,000' |




# TULARE MUNICIPAL AIRPORT- MEFFORD FIELD

## FAR PART 77 IMAGINARY SURFACES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | EXISTING FAR PART 77 |
| | FUTURE FAR PART 77 |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |
| | CHANGED AIA AREA |

MAGNETIC NORTH
14°26.25'E (2004)
TRUE NORTH

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| TULARE MUNICIPAL AIRPORT | FIGURE TLR-4 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: TLR-04-FAR Part 77_A.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=3,000' |

# 5.5 WOODLAKE MUNCIPAL AIRPORT

## 5.5.1 AIRPORT

The Woodlake Municipal Airport is located about 2 miles south of the center of the City of Woodlake and within the City limits. The Airport is located on about 87 acres of land at an elevation of 425 feet above mean sea level. The Airport is publicly-owned, managed and maintained by the City of Woodlake and is open for public use. The Airport is accessed by State Highway 245 (Valencia Boulevard) which connects to State Route 198 about 5 miles to the south. The Airport serves the City of Woodlake and smaller unincorporated communities in eastern Tulare County.

The Airport is classified as a General Aviation Airport in the Federal Aviation Administration (FAA) *National Plan of Integrated Airport Systems* (NPIAS). General Aviation Airports serve those communities that do not receive scheduled commercial service, do not meet the criteria for classification as a commercial service airport, and account for enough aviation activity (usually at least ten locally-based aircraft), and are at least 20 miles from the nearest NPIAS airport. The Airport is designated as an airport reference code (ARC) A-1 (Small) by the FAA. The Airport is classified as a Community Airport in the *California Aviation System Plan* (CASP). Community Airports provide access to other regions and states; are located near small communities or in remote locations; serve, but are not limited to, recreational flying, training, and local emergencies; accommodate predominately single-engine aircraft under 12,500 pounds, and provide basic or limited services for pilots or aircraft.

There is one runway at the Airport and, unlike most other San Joaquin Valley airports, is oriented east to west. Existing Runway 7-25 is 2,203 feet long by 50 feet wide. There are left-hand traffic patterns to both runway ends. According to the *Airport Master Plan*, adopted in 2008, there were an estimated 16,370 annual aircraft operations at the Airport in 2000.

The *Airport Master Plan* for the Woodlake Municipal Airport is illustrated on Figure WDL-1. Since then, the length of the runway realignment has been refined based on discussions between the City and FAA. The refinements are shown on the Airport Layout Plan which is illustrated on Figure WDL-1. Approval has been received from Caltrans, Division of Aeronautics, to use the Airport Layout Plan as the basis for the Comprehensive Airport Land Use Plan (CALUP). The Airport Master Plan/Airport Layout Plan proposes the following changes that are relevant to the standards and policies of the CALUP.

- Runway 7-25 is proposed to be realigned to the south and reoriented to Runway 6-24 with an extended length of 2,730 feet.
- Acquisition of approximately 23 acres of land in fee title to the east and west for the recommended realignment and future runway protection zones.

The runway realignment presents a situation where the ALUC must maintain height, safety, noise and overflight protections for the existing runway alignment while also protecting the long-range airport master plan recommendations. The discussion that follows provides illustrations and text supporting the Airport Master Plan/Airport Layout Plan and future runway realignment. The

1995 CALUP provides the basis for protecting the existing runway alignment. After ALUC review, these two protection schemes would be combined to create a composite set of height, safety, noise and overflight protection zones.

## 5.5.2 COMPREHENSIVE AIRPORT LAND USE PLAN

### 5.5.2.1 Safety Compatibility Zones

The existing Runway 7-25, currently 2,203 feet long and 50 feet wide, is proposed to be realigned and reoriented to Runway 6-24 and extended and widened to be 2,730 feet long and 60 feet wide. The reorientation will change established ALUC airspace protection surfaces and extend ALUC safety zones and aircraft overflight policies into areas further northeast and southwest of the Airport. The Airport Master Plan recommends acquisition of approximately 23 acres of land in fee title to the east and west for the recommended realignment and future runway protection zones. A portion of the expanded Airport site is outside of the current boundary of the City. In order to maximize land use compatibility, the safety compatibility zones are based on protecting both the existing and future runway alignments. The safety compatibility zones are illustrated on Figure WDL-2. The safety compatibility zone dimensions are based on those for a short general aviation runway length of less than 4,000 feet shown on Figure 3A of the 2011 Caltrans *Handbook*.

### 5.5.2.2 Noise Compatibility

Aircraft operations at the Airport, estimated to total 16,400 annual aircraft operations in 2000, are forecast to increase to 24,600 annual aircraft operations by 2020. Approximately 67 percent of these aircraft operations are estimated to be itinerant operations and the mix of aircraft types forecast suggests a continued use by small single-engine aircraft. In combination with the runway realignment these increased aircraft operations will increase aircraft noise as well as safety concerns and extend the influence of such noise further from the Airport. The 55, 60, and 65 CNEL aircraft noise exposure contours for 2025 for Woodlake Municipal Airport are illustrated on Figure WDL-3.

The future 65 dB CNEL aircraft noise exposure contour will be entirely within the expanded airport site. The future 60 dB CNEL aircraft noise exposure contour will be essentially within the expanded airport site. The 60 and 65 dB CNEL aircraft noise exposure contours do not extend over any sensitive noise receptors.

### 5.5.2.3 Airspace Protection Surfaces

The Airport Master Plan identifies 20 to 1 approach surfaces to both ends of the runway for non-precision instrument and visual approach procedures. Therefore, the FAR Part 77 conical surface, which the Tulare County ALUC uses to define the Airport Influence Area, extends out 9,000 feet from the primary surface. The FAR Part 77 imaginary surfaces at the Woodlake Municipal Airport based on the Airport Master Plan and Airport Layout Plan are illustrated on Figure WDL-4. In order to maximize airspace protection, the FAR Part 77 surfaces are based on protecting both the existing and future runway alignments. The horizontal surface extends out 5,000 feet from the primary surface. The horizontal and conical surfaces will overlay slightly different areas than in the previous CALUP because of the proposed realignment of the runway.

### 5.5.3 AIRPORT SPECIFIC ALUC POLICIES

The ALUC is proposing no special policies for the Woodlake Municipal Airport. However, the various protection zones for safety, noise, height and overflight are proposed to be modified to provide protections for both the existing and future runway alignments as illustrated on Figures WDL-2, WDL-3 and WDL-4.

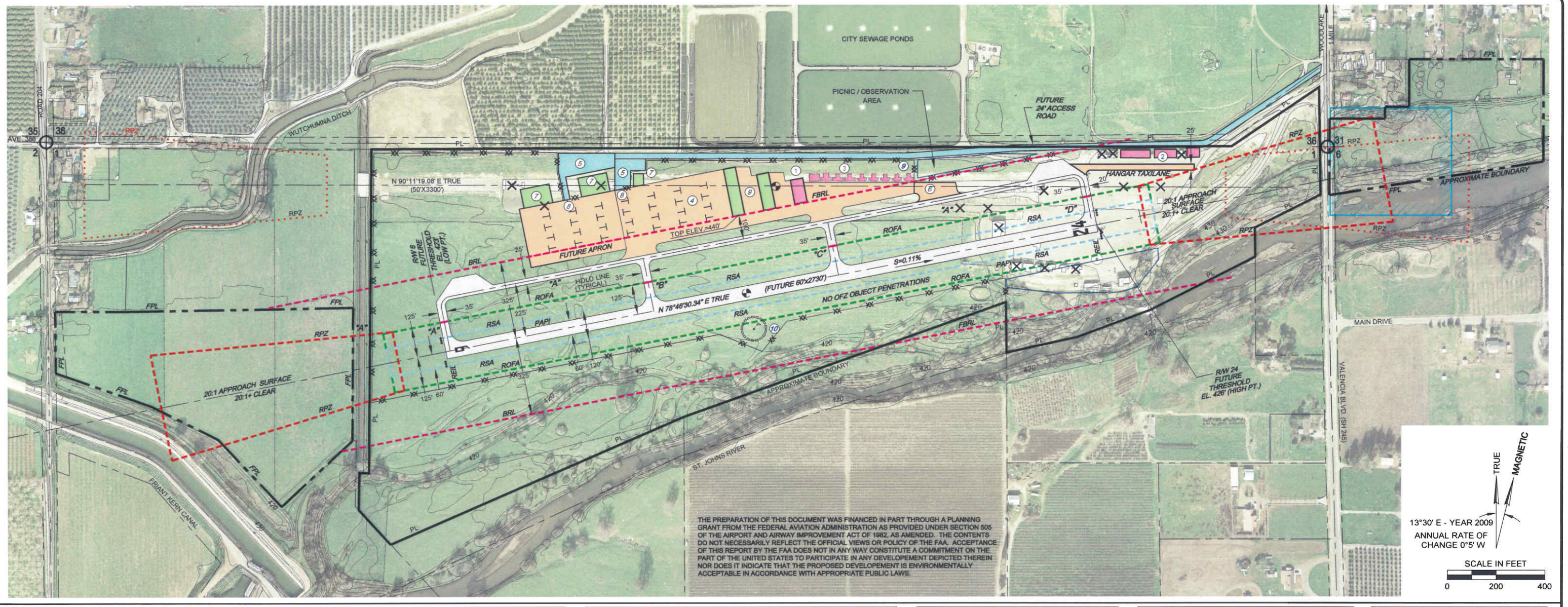
### 5.5.4 LAND USE AND AVAILABLE LAND USE CONTROLS

Land use in the Woodlake Municipal Airport Influence Area is primarily agricultural in areas outside the City of Woodlake. Zoning in the County areas consists of "Exclusive Agricultural" with both 20 and 40 acre minimum lot sizes (AE-20 and AE-40). The City of Woodlake, which includes the Airport, is generally located north of the Airport and is made up of a mix of urban uses. Most of this community is located within the conical and horizontal surfaces including Safety Compatibility Zone 6. There is an area zoned for medium-density residential use (mobile home park) and a neighborhood commercial development northeast of the Airport in Safety Compatibility Zones 3 and 6. Residential uses within Safety Compatibility Zone 3 are considered incompatible although the City has indicated a desire to redevelop the area to more compatible uses. There is some land designated as rural residential (or very low density residential) in Safety Compatibility Zones 2 and 4, east of the Airport. These too are considered to be incompatible with the CALUP policies. The City of Woodlake Waste Water Treatment Plant is located adjacent to the north side of the Airport primarily in Safety Compatibility Zone 6 and a small portion in Safety Compatibility Zone 5.

Land use controls for the incorporated area are provided by the City of Woodlake General Plan and Zoning Ordinance. The Tulare County General Plan and Zoning Ordinance govern unincorporated areas. As noted previously, the County of Tulare Zoning Ordinance includes Section 14.1, "Airport Impact Zone" (or "AP" zone) which implements land use policies for airport impact areas identified within the County General Plan. The ordinance provides a listing of permitted and specifically restricted land uses. Residential land uses are specifically restricted from the Airport Impact Zone. Separately in the Ordinance Code of Tulare County, Part VII, Chapter 13, "Airport Zoning Regulations" implements the California Airport Approaches Zoning Law. The County's Airport Zoning Map is established through this ordinance and Part 4 of the Airport Zoning Map applies specifically to the Woodlake Municipal Airport. Portions of both of these County ordinances will need to be revised to be consistent with ALUC policies expressed in Sections 1 through 4. It should be noted that the neither ordinance includes references to ALUC policies, procedures, or standards.

1402-WOODLAKE-1ALP-2009 08-03-09 1=1
XREF: X-WOOD-MP-BROR

FIGURE WDL-1




THE PREPARATION OF THIS DOCUMENT WAS FINANCED IN PART THROUGH A PLANNING GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AS PROVIDED UNDER SECTION 505 OF THE AIRPORT AND AIRWAY IMPROVEMENT ACT OF 1982, AS AMENDED. THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OR POLICY OF THE FAA. ACCEPTANCE OF THIS REPORT BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE UNITED STATES TO PARTICIPATE IN ANY DEVELOPEMENT DEPICTED THEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPEMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.

## LEGEND

| | EXISTING | FUTURE |
|---|---|---|
| AIRPORT REFERENCE POINT | | |
| AIRPORT PROPERTY LINE | PL | FPL |
| AVIGATION EASEMENT | | |
| BUILDING RESTRICTION LINE | BRL | BRL |
| RUNWAY SAFETY AREA | RSA | RSA |
| RUNWAY PROTECTION ZONES | RPZ | RPZ |
| RUNWAY PROTECTION ZONES | | ROFA |
| BUILDINGS | RELOCATED | NEW |
| DRAINAGE | | |
| FACILITIES | | |
| FACILITY TO BE REMOVED | N/A | |
| FENCE | | |
| LIGHTING | | |
| WIND CONE | | |

## FACILITY DATA

| | |
|---|---|
| 1 | AIRPORT BEACON / VAULT |
| 2 | HANGARS |
| 3 | *HANGARS - RELOCATED* |
| 4 | *APRON* |
| 5 | *AUTO PARKING* |
| 6 | *FUEL FARM* |
| 7 | *TERMINAL / FBO* |
| 8 | *FUTURE CARD ACCESS GATE* |
| 9 | *FUTURE HANGARS* |
| 10 | *WIND CONE & SEGMENTED CIRCLE / AWOS* |

## AIRPORT DATA

| | | EXISTING | FUTURE |
|---|---|---|---|
| AIRPORT REFERENCE CODE CATEGORY | | A-I (SMALL) | *SAME* |
| ELEVATION (MSL) | | 425' | *426'* |
| TEMPERATURE (MEAN MAX. OF HOTTEST MONTH) | | 98.1° F | *SAME* |
| REFERENCE POINT COORDINATES (NAD 83) | LATITUDE | N 36°-23'-55.818" | *N 36°-23'-51.385"* |
| | LONGITUDE | W 119°-08'-23.998" | *W 119°-08'-25.165"* |
| NAVIGATIONAL AIDS | | NONE | *PAPI / REIL* |
| ACREAGE | FEE TITLE | 32 | *115±* |
| | AVIGATION EASEMENT | 0 | *0* |
| BASED AIRCRAFT PARKING DEMAND | TIEDOWNS | 5 | *7* |
| | HANGARS/SHELTERS | 19 | *29* |
| | TOTAL | 24 | *39* |
| TRANSIENT AIRCRAFT TIEDOWN DEMAND | | 12 | *18* |
| AIRPORT RESCUE & FIRE FIGHTING INDEX (ARFF) | | N/A | *N/A* |

## TAXIWAY DATA

| T/W | TYPE | PAVEMENT SURFACE | PAVEMENT WIDTH | | STRENGTH (1000#) SINGLE GEAR | | SIGNING/ LIGHTING | |
|---|---|---|---|---|---|---|---|---|
| | | | EXISTING | FUTURE | EXISTING | FUTURE | EXISTING | FUTURE |
| A | PARALLEL | ASPHALT | 20' | 25' | NA | 12.5 | NA | REFLECTORS |
| A | EXIT | ASPHALT | NA | 35' | NA | 12.5 | NA | REFLECTORS |
| B | EXIT | ASPHALT | NA | 35' | NA | 12.5 | NA | REFLECTORS |
| C | EXIT | ASPHALT | NA | 35' | NA | 12.5 | NA | REFLECTORS |
| D | EXIT | ASPHALT | NA | 35' | NA | 12.5 | NA | REFLECTORS |

## RUNWAY DATA

| | | | EXISTING 7-25 | FUTURE 6-24 |
|---|---|---|---|---|
| RUNWAY CATEGORY | | | A-I (SMALL) | *SAME* |
| RUNWAY CLASSIFICATION | | | BASIC | *SAME* |
| PHYSICAL LENGTH, WIDTH, AND SURFACE | | | 3320', 60', ASPHALT | *3730', 60', ASPHALT* |
| THRESHOLD DISPLACEMENT (D) OR RELOCATION (R) | | | 525 D/600 D | *NONE* |
| EFFECTIVE GRADIENT (%) | | | 0.12 | *0.18* |
| PAVEMENT STRENGTH (1000#) SINGLE WHEEL GEAR | | | 8 | *12.5* |
| LIGHTING AND VISUAL AIDS | | | LIRL | *MIRL / PAPI / REIL* |
| MARKING | | | VISUAL | *NON-PRECISION* |
| CRITICAL DESIGN AIRCRAFT | RUNWAY LENGTH | | C-172 | *SAME* |
| | PAVEMENT STRENGTH | | AC850 | *SAME* |
| | WINGSPAN | | AC850 | *SAME* |
| INSTRUMENT APPROACH TYPE/ RUNWAY FAR PART 77 CATEGORY | WEST | | VISUAL | *NON-PRECISION* |
| | EAST | | VISUAL | *NON-PRECISION* |
| APPROACH SLOPE: REQUIRED/CLEAR | WEST | | 20:1/10:1 | *20:1 / 20:1+* |
| | EAST | | 20:1/0:1 | *20:1 / 20:1+* |
| APPROACH & LANDING AIDS | WEST | | NONE | *GPS* |
| | EAST | | NONE | *GPS* |
| RUNWAY END COORDINATES (NAD 83) | WEST END | LAT. | N 36°-23'-55.64" | *N 36°-23'-48.85"* |
| | | LONG. | W 119°-08'-37.39" | *W 119°-08'-40.31"* |
| | EAST END | LAT. | N 36°-23'-55.79" | *N 36°-23'-54.22"* |
| | | LONG. | W 119°-08'-10.60" | *W 119°-08'-07.56"* |
| RUNWAY SAFETY AREA DIMENSIONS: | WIDTH | | 120' | *SAME* |
| | LENGTH (240' BEYOND END) | | 3800' | *3210'* |
| RUNWAY PROTECTION ZONE DIMENSIONS: (INNER/OUTER/LENGTH) | WEST | | 250/450/1000 | *SAME* |
| | EAST | | 250/450/1000 | *SAME* |
| RUNWAY OBSTACLE FREE ZONE AIRCRAFT | | | SMALL | *SAME* |
| WIND COVERAGE (%) | 12 MPH ALL WEATHER | | N/A | *SAME* |
| | 15 MPH ALL WEATHER | | N/A | *SAME* |

## FAA APPROVAL

## CITY OF WOODLAKE

By: _____ Date: _____

Title: _____

## NOTES

1. ALL AIRFIELD PAVEMENTS ARE ASPHALTIC CONCRETE.
2. SITING OF NAVAIDS AND LIGHTING AIDS SUBJECT TO FAA REVIEW AND DESIGN.
3. TOPOGRAPHY SOURCE JANUARY 2003 PHOTOMAPPING.
4. THE AIRPORT IS NOT SUBJECT TO FLOODING.
5. AN AIRPORT HEIGHT ZONING ORDINANCE IS NOT IN EFFECT.
6. CLEAR SLOPES ARE BASED ON ANALYSIS OF USGS TOPOGRAPHY.
7. SITE SPECIFIC WIND DATA IS NOT AVAILABLE.
8. COORDINATE BASIS: NAD 1983 HORIZONTAL AND NAVD 1988 VERTICAL.
9. FUTURE PROPERTY BOUNDARIES ARE APPROXIMATE, AND SUBJECT TO CHANGE.

## LOCATION MAP


WADELL ENGINEERING CORPORATION AIRPORT PLANNING • ENGINEERING • MANAGEMENT san francisco bay area

| NO. | DATE | BY | REVISIONS |
|---|---|---|---|
| | | | |

DRAWN DLH | CHECKED | DESIGNED RPW

# WOODLAKE MUNICIPAL AIRPORT

A CITY OF WOODLAKE AVIATION FACILITY

WOODLAKE CALIFORNIA

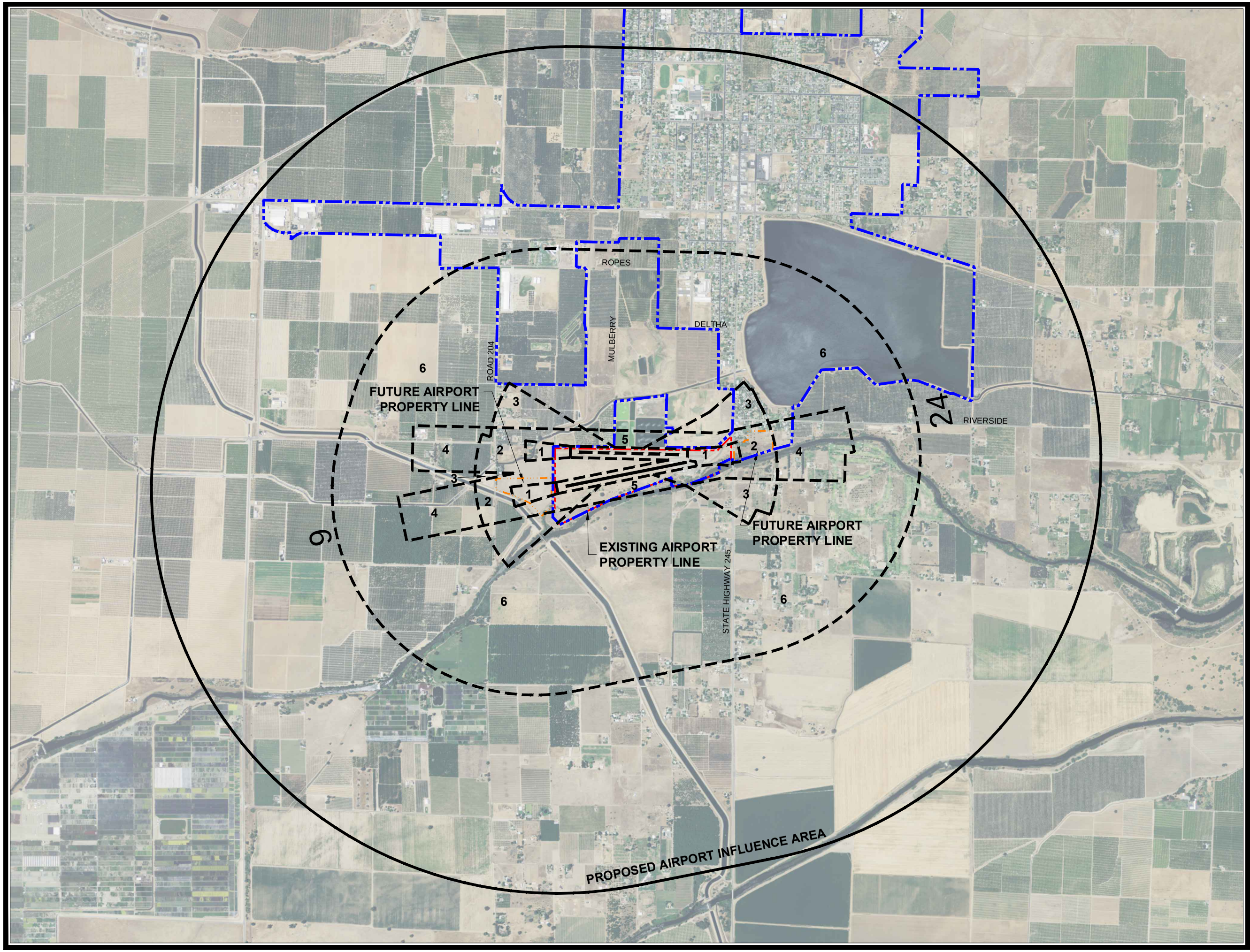
## AIRPORT LAYOUT PLAN

JOB NUMBER 1402 | DRAWING NUMBER 1402-1ALP

DRAWING 1 / OF 4

SCALE AS SHOWN

DATE AUG 2009




# WOODLAKE MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 1,000 2,000
500 1,500
GRAPHIC SCALE IN FEET

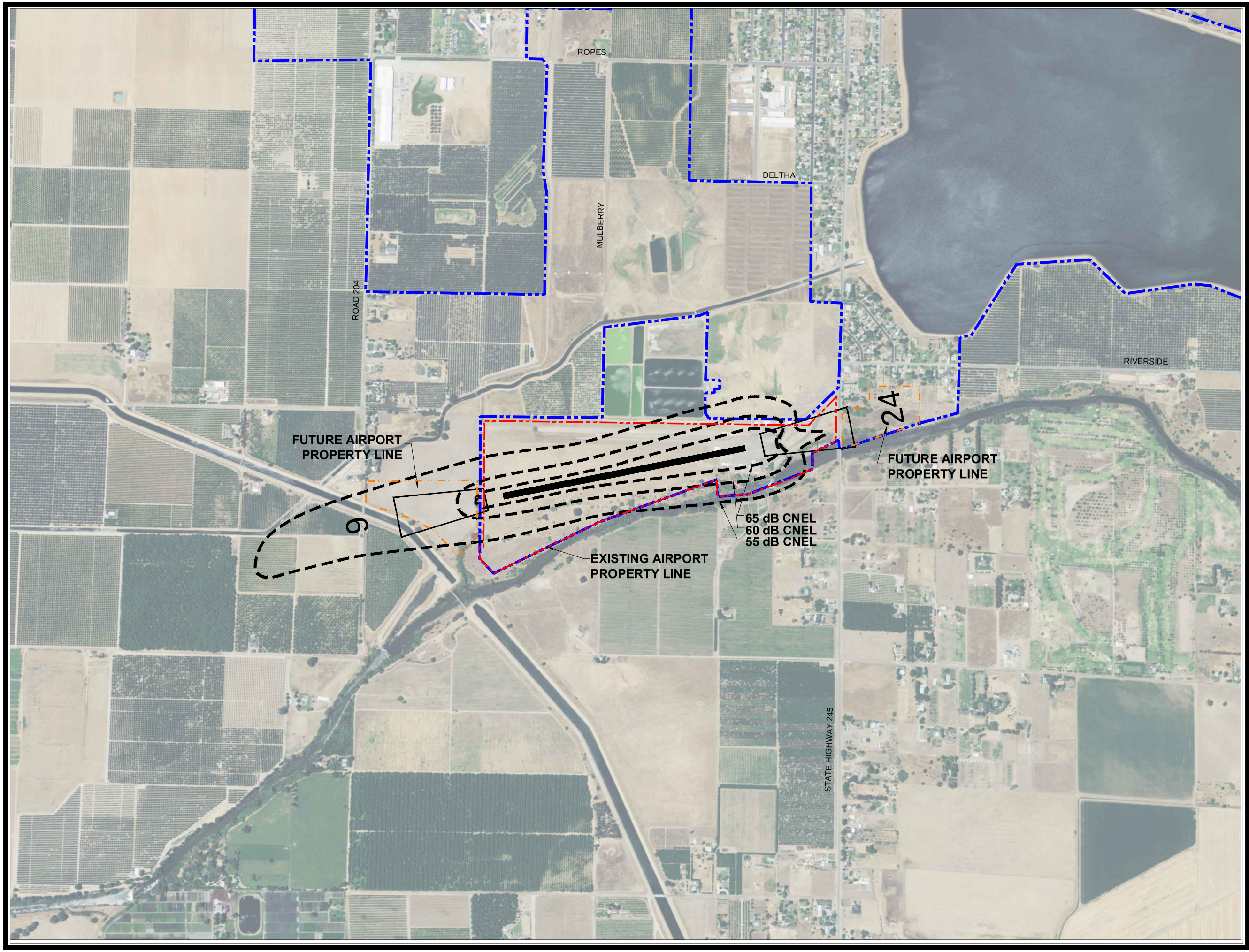
**NOTE:**

THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| WOODLAKE MUNICIPAL AIRPORT | FIGURE WDL-2 |
| TULARE COUNTY, CALIFORNIA | |

| | |
|---|---|
| NAME: O42-02-Runway Safety Area.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=2,000' |




# WOODLAKE MUNICIPAL AIRPORT

## 2020 AIRCRAFT NOISE CONTOURS

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 500 1,000
250 750
GRAPHIC SCALE IN FEET

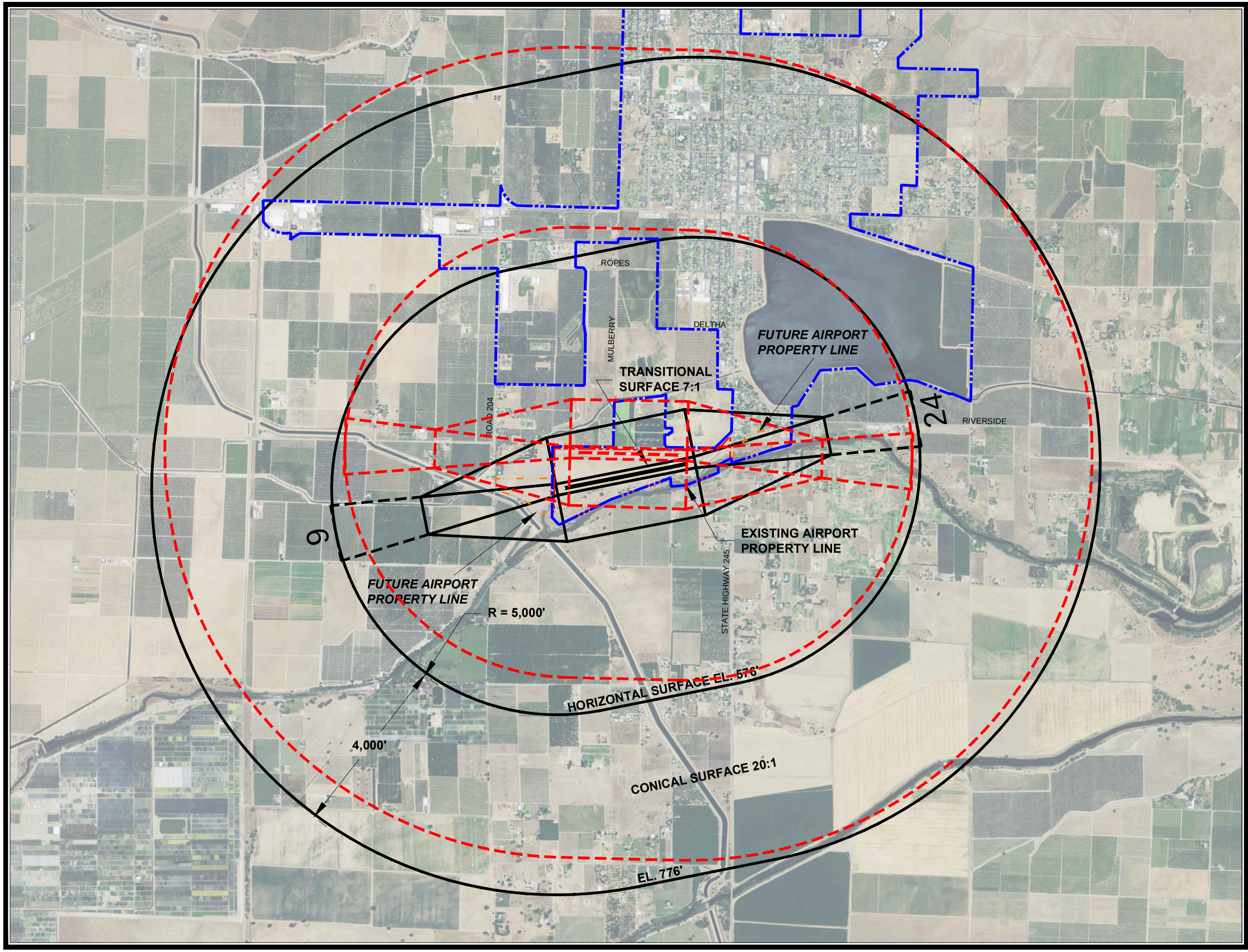
**NOTE:**

THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| WOODLAKE MUNICIPAL AIRPORT | FIGURE WDL-3 |
| TULARE COUNTY, CALIFORNIA | |

| | |
|---|---|
| NAME: O42-03-Noise Contours.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=1,000' |




# WOODLAKE MUNICIPAL AIRPORT

## FAR PART 77 IMAGINARY SURFACES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | EXISTING FAR PART 77 |
| | FUTURE FAR PART 77 |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 1,000 2,000
500 1,500
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| WOODLAKE MUNICIPAL AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | WDL-4 |

| | |
|---|---|
| NAME: O42-04-Part-77.dwg | NO: 4350-02 |
| DATE: Sep 27, 2012 | PLOT SCALE: 1"=2,000' |

# 5.6 SEQUOIA FIELD

## 5.6.1 AIRPORT

Sequoia Field is located 8 miles north of the City of Visalia at an elevation of 313 feet mean sea level. The Airport is adjacent to Road 112 and northeast of the intersection of Road 112 and Avenue 360. This 320-acre facility is owned by Tulare County. The 117-acre aviation portion of the Airport property is operated by the Tulare County Resource Management Agency. The facility serves the northern portions of the City of Visalia and the County.

The Airport is classified as a General Aviation Airport in the FAA *National Plan of Integrated Airport Systems* (NPIAS). The Airport is designated as an airport reference code (ARC) A-1 airport by the FAA. The Airport is classified as a Community Airport in the *California Aviation System Plan* (CASP). The Community Airport provides access to other regions and states; located near small communities or in remote locations, serve, but are not limited to, recreational flying, training, and local emergencies; accommodate predominately single-engine aircraft under 12,500 pounds, and provide basic or limited services for pilots or aircraft.

Runway 13-31 is 3,012 feet long and 60 feet wide and is oriented northwest to southeast. The runway and parallel taxiway have recently been rebuilt. There are left-hand traffic patterns for both runway ends. According to the latest FAA Form 5010-1, *Airport Master Record*, there were an estimated 12,000 annual aircraft operations at the Airport in 2010. There are agricultural aircraft operations at the Airport.

There is no Airport Master Plan for Sequoia Field. The updated Airport Layout Plan for Sequoia Field, prepared in 2010, is illustrated on Figure SEQ-1. Approval has been received from Caltrans, Division of Aeronautics, to use the Airport Layout Plan as the basis for the Comprehensive Airport Land Use Plan (CALUP). The Airport Layout Plan proposes the following changes that are relevant to the standards and policies of the CALUP.

- The County is working with the FAA to redefine the airport property within the original 320-acre boundary.
- Only occasional (less than 500 annually) large aircraft operations (e.g., C-130) will occur at the Airport.
- Acquisition of avigation easements over approximately 10 acres of land to the southeast and 13 acres to the northwest for the runway protection zones.

These changes are discussed relative to ALUC concerns in the following sections.

## 5.6.2 COMPREHENSIVE AIRPORT LAND USE PLAN

### 5.6.2.1 Safety Compatibility Zones

The existing Runway 13-31, currently 3,012 feet long and 60 feet wide, is proposed to be retained. The Airport Layout Plan recommends acquisition of avigation easements over approximately 10 acres of land to the southeast and 13 acres to the northwest for the runway

protection zones. The safety compatibility zones are illustrated on Figure SEQ-2. The safety compatibility zone dimensions are based on those for a short general aviation runway length of less than 4,000 feet shown on Figure 3A of the 2011 Caltrans *Handbook*.

#### 5.6.2.2 Noise Compatibility

Aircraft operations at the Airport are estimated to total 12,000 annual aircraft operations in 2010. About 75 percent of these aircraft operations are estimated to be the local operations of aircraft operating in the local traffic pattern and those by agricultural aircraft. About 25 percent of these aircraft operations are estimated to be itinerant operations by small general aviation aircraft.

Annual aircraft operations are forecast to increase to 23,200 operations by 2020 according to the *1999 Statewide Forecasts* prepared by the State of California, Division of Aeronautics, as part of the State's continuous airport system planning process (the latest forecasts available for the Airport).

There are no 60 and 65 dB CNEL aircraft noise exposure contours for Sequoia Field but they would be expected to be almost entirely within the Airport boundary, based on a review of the Tulare Municipal Airport and Woodlake Municipal Airport aircraft noise exposure contours. The Airport noise exposure contours would include agricultural aircraft operations. The 60 and 65 dB CNEL aircraft noise exposure contours do not extend over any sensitive noise receptors.

#### 5.6.2.3 Airspace Protection Surfaces

The updated Airport Layout Plan identifies 20 to 1 approach surfaces to both ends of the runway for nonprecision and visual instrument approach procedures. Therefore, the FAR Part 77 conical surface, which the Tulare County ALUC uses to define the Airport Influence Area, extends out 9,000 feet from the primary surface. The FAR Part 77 imaginary surfaces at Sequoia Field based on the updated Airport Layout Plan are illustrated on Figure SEQ-3. The horizontal surface extends out 5,000 feet from the primary surface because of the visual and nonprecision instrument approach procedures for small aircraft at the Airport.

### 5.6.3 AIRPORT SPECIFIC ALUC POLICIES

Based on the historic nature of portions of Sequoia Field, the fact that current use of some historic structures for housing is not consistent with ALUC policies pertaining to public safety and that, if pursued to the letter of the law, these uses would be considered non-conforming and thus potentially block further improvements that may be necessary to maintain their historic status, the ALUC is considering the application of special policies for the Sequoia Field Airport. Specifically, the ALUC is considering an exemption for operation of the various County detention facilities in areas where such uses would normally be excluded.

### 5.6.4 LAND USE AND AVAILABLE LAND USE CONTROLS

Land use in the Sequoia Field Airport Influence Area is primarily agricultural with scattered residential dwellings. The Gilbert Aviation agricultural aircraft operation is located adjacent to the south side of Sequoia Field, within Safety Compatibility Zones 2 and 3, and has a through-the-fence agreement with the County to access and use the Airport.

The airport was declared surplus to the needs of the U.S. Government under the Surplus Property Act of 1944, and 320 acres including buildings, structures, improvements and equipment, were quitclaimed to the County to be used for public airport purposes for the use and benefit of the public. An Agreement of Transfer in 1949 excluded any restrictions or conditions on approximately 18 acres in the southwest corner of the Airport boundary currently occupied by the Tulare County Sheriff's Department Vocational Training and Adult Correctional Center. The Tulare County Sheriff's Department Bob Wiley Detention Facility is located on about 41 acres of land at the north end of the Airport boundary. The October 1977 Deed of Release released the 320 acres of the airport boundary from all reservations, restrictions and conditions, however, it did not release any of the 320 acres of land originally conveyed under the Surplus Property Act of 1944 to be used for public airport purposes for the use and benefit of the public.

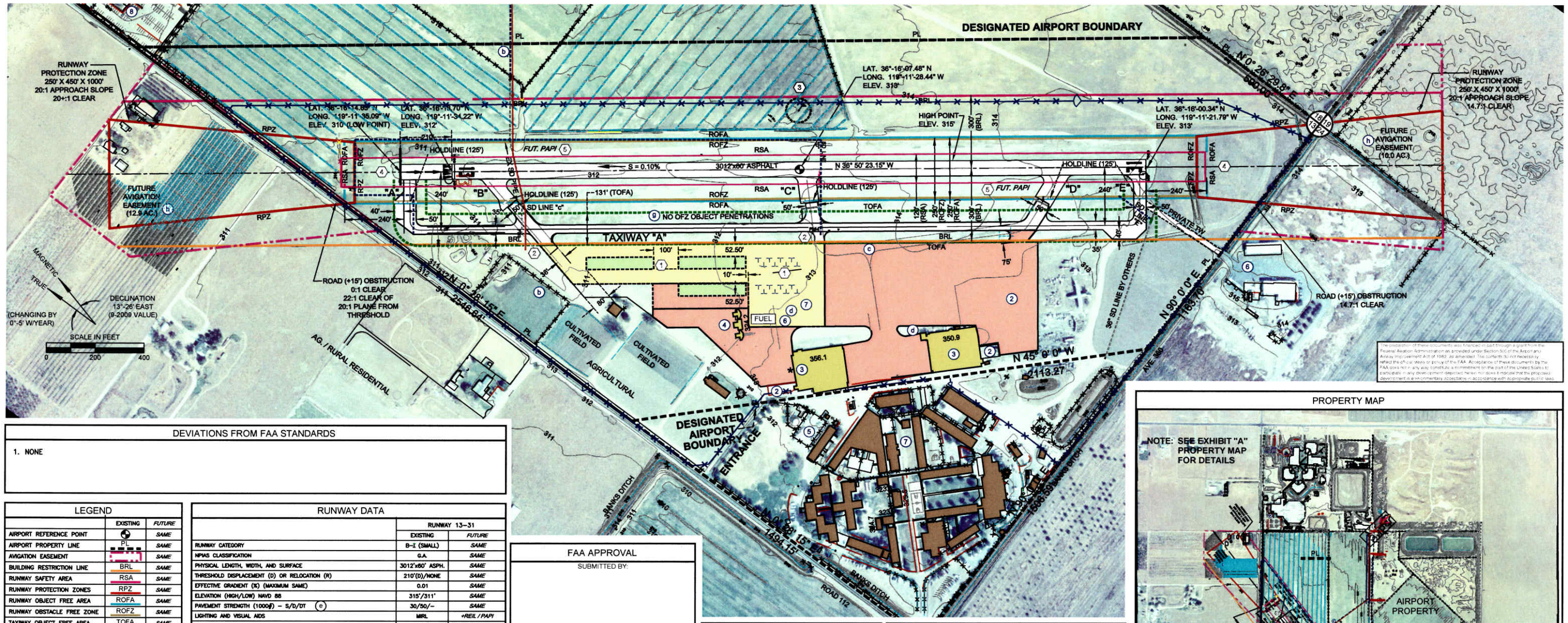
The Sequoia Field Foundation was formed in 2000 and was instrumental in getting the Airport listed on the National Registry of Historic Places and erecting a monument on the site. The Airport is also listed in the California Register of Historic Resources. The Sequoia Field Historical District includes 78 acres within the existing 320-acre Sequoia Field Airport that includes grounds and buildings. A portion of the Historical District is occupied by the Sheriff's Department Vocational Training and Adult Correctional Center. However, most of the Sequoia Field Historical District is within the proposed 117-acre airport property including structure No. 31 the South Hangar; No. 32 the Control Tower; No. 33 the Flight Office; No. 34 the North Hangar; and No. 35 the Runway and Parking Apron. The County is working with the FAA to redefine 117 acres as airport property within the original 320-acre airport boundary.

The Sheriff's Department Vocational Training and Adult Correctional Center is located within the Safety Compatibility Zone 6. The Bob Wiley Detention Facility is located mostly within Safety Compatibility Zone 3 and partially within Safety Compatibility Zone 6. The County's Juvenile Detention Facility and Juvenile Courts, north of the intersection of Road 112 and Avenue 368, are also within Safety Compatibility Zone 6. There are some structures west of Road 112 within the runway protection zone (Safety Compatibility Zone 1).

Land use controls for this area are provided by the Tulare County General Plan and Zoning Ordinance. Zoning throughout the Airport Influence Area is "Exclusive Agricultural" with a 40 acre minimum lot size (AE-40). As noted previously, the County of Tulare Zoning Ordinance also includes Section 14.1, "Airport Impact Zone" (or "AP" zone) which implements land use policies for airport impact areas identified within the County General Plan. The ordinance provides a listing of permitted and specifically restricted land uses. Residential land uses are specifically restricted from the Airport Impact Zone. Separately in the Ordinance Code of Tulare County, Part VII, Chapter 13, "Airport Zoning Regulations" implements the California Airport Approaches Zoning Law. The County's Airport Zoning Map is established through this ordinance however the Sequoia Field Airport is not included in this ordinance.

1421-TULARE-1ALP 08-03-10 (1=1)
XREF: TULARE-MP-BRDR-08-03-10
XREF: X-TULARE-MP-BRDR

FIGURE SEQ-1




## DEVIATIONS FROM FAA STANDARDS

1. NONE

## LEGEND

| | EXISTING | FUTURE |
|---|---|---|
| AIRPORT REFERENCE POINT | | SAME |
| AIRPORT PROPERTY LINE | PL | SAME |
| AVIGATION EASEMENT | | SAME |
| BUILDING RESTRICTION LINE | BRL | SAME |
| RUNWAY SAFETY AREA | RSA | SAME |
| RUNWAY PROTECTION ZONES | RPZ | SAME |
| RUNWAY OBJECT FREE AREA | ROFA | SAME |
| RUNWAY OBSTACLE FREE ZONE | ROFZ | SAME |
| TAXIWAY OBJECT FREE AREA | TOFA | SAME |
| BUILDINGS (ELEVATIONS SHOWN) | | |
| OTHER BUILDINGS | | SAME |
| FACILITIES | | SAME |
| FENCE | | SAME |
| LIGHTING | | SAME |
| WIND CONE | | SAME |
| ROTATING BEACON | | SAME |
| SECTION CORNER | 18 19 / 13 24 | SAME |
| AIRFIELD PAVEMENTS (INITIAL/ULTIMATE) | | |
| DETERIORATED ACTIVE AIRFIELD PAVEMENT | | SAME |
| ULTIMATE PAVEMENTS | N/A | |

## FACILITY DATA

| | DESCRIPTION | HEIGHT |
|---|---|---|
| 1 | AIRCRAFT TIEDOWN AREA | |
| 2 | CONCRETE SLABS | |
| 3 | CONVENTIONAL HANGAR | 356'/351' |
| 4 | INDIVIDUAL AIRCRAFT HANGARS | |
| 5 | AUTO PARKING | |
| 6 | AERIAL OPERATION (THROUGH THE FENCE) | |
| 7 | SEQUOIA HOME (CORRECTIONAL CENTER) | |
| 8 | SHERIFF DETENTION FACILITY | |

## RUNWAY DATA

| | | | RUNWAY 13-31 EXISTING | RUNWAY 13-31 FUTURE |
|---|---|---|---|---|
| RUNWAY CATEGORY | | | B-I (SMALL) | SAME |
| NPIAS CLASSIFICATION | | | G.A. | SAME |
| PHYSICAL LENGTH, WIDTH, AND SURFACE | | | 3012'x60' ASPH. | SAME |
| THRESHOLD DISPLACEMENT (D) OR RELOCATION (R) | | | 210'(D)/NONE | SAME |
| EFFECTIVE GRADIENT (%) (MAXIMUM SAME) | | | 0.01 | SAME |
| ELEVATION (HIGH/LOW) NAVD 88 | | | 315'/311' | SAME |
| PAVEMENT STRENGTH (1000#) – S/D/DT (e) | | | 30/50/– | SAME |
| LIGHTING AND VISUAL AIDS | | | MIRL | +REIL / PAPI |
| MARKING | | | BASIC | NON-PRECISION |
| CRITICAL DESIGN AIRCRAFT (g) | RUNWAY LENGTH | | C-421 | SAME |
| | PAVEMENT STRENGTH | | 8K C-421 | SAME |
| | WINGSPAN | | 42' C-421 | SAME |
| | MAXIMUM TAKEOFF WEIGHT | | 8K | SAME |
| INSTRUMENT APPROACH TYPE/ RUNWAY FAR PART 77 CATEGORY | 13 | | VISUAL | NON-PRECISION |
| | 31 | | VISUAL | NON-PRECISION |
| APPROACH SLOPE: REQUIRED/CLEAR (R/W 13 IS CLEAR 22:1 THRESHOLD) | 13 | | 20:1/0:1 | SAME |
| | 31 | | 20:1/14.7:1 | SAME |
| APPROACH & LANDING AIDS | 13 | | NONE | +PAPI |
| | 31 | | NONE | +PAPI |
| RUNWAY END COORDINATES (NAD 83) (a) | 13 | LAT. | 36° 16' 14.63" N | SAME |
| | | LONG. | 119° 11' 35.09" W | SAME |
| | 31 | LAT. | 36° 16' 00.34" N | SAME |
| | | LONG. | 119° 11' 21.79" W | SAME |
| RUNWAY SAFETY AREA (RSA) DIMENSIONS: | WIDTH | | 120' | SAME |
| | LENGTH (240' BEYOND R/W ENDS) | | 3492' | SAME |
| RUNWAY OBJECT FREE AREA (ROFA) DIMENSIONS: | WIDTH | | 250' | SAME |
| | LENGTH (240' BEYOND R/W ENDS) | | 3492' | SAME |
| RUNWAY OBJECT FREE ZONE (ROFZ) DIMENSIONS: | WIDTH | | 250' | SAME |
| | LENGTH (200' BEYOND R/W ENDS) | | 3412' | SAME |
| DISTANCE FROM RUNWAY CENTERLINE TO HOLD BARS AND SIGNS | | | 125' | SAME |
| RUNWAY PROTECTION ZONE (RPZ) DIMENSIONS: (INNER/OUTER/LENGTH) | 13 | | 250/450/1000 | SAME |
| | 31 | | 250/450/1000 | SAME |
| RUNWAY OBSTACLE FREE ZONE AIRCRAFT | | | SMALL | SAME |
| WIND COVERAGE (%) | 12 MPH ALL WEATHER | | (j) | SAME |
| | 15 MPH ALL WEATHER | | (j) | SAME |

## FAA APPROVAL

SUBMITTED BY:

## COUNTY OF TULARE

SUBMITTED BY:

By _____
County of Tulare Date

## PROJECT DESCRIPTION

1. Clear and grub area, remove existing pavement as needed. Construct new Hangar Taxiway & Apron with markings.
2. Install new Taxiway Signs, Conductor and Conduit.
3. Install AWOS.
4. REIL
5. PAPI

## ALP NOTES

(a) Airport coordinates & elevations field surveyed (2007). All data is NAD 83. Runway and critical elevations are NAVD88.

(b) BRL based upon a structure height of 35 feet and 500' primary surface to protect for "Large" aircraft.

(c) Taxiway defined by painted markings - taxiway has a ragged paved edge, poor condition.

(d) Aircraft tiedown locations are estimated.

(e) Runway pavement strength obtained from FAA Airport/Facility Directory (10 April 2008).

(f) Occasional "Large" aircraft operations (C-130 Typ.) constitute less than 500 operations per year.

(g) No objects penetrate Runway 13-31 Object Free Area.

(h) Future Avigation Easement sized to substantially accommodate RPZ for "Large" aircraft (AAC A&B).

(i) The airport is not subject to flooding.

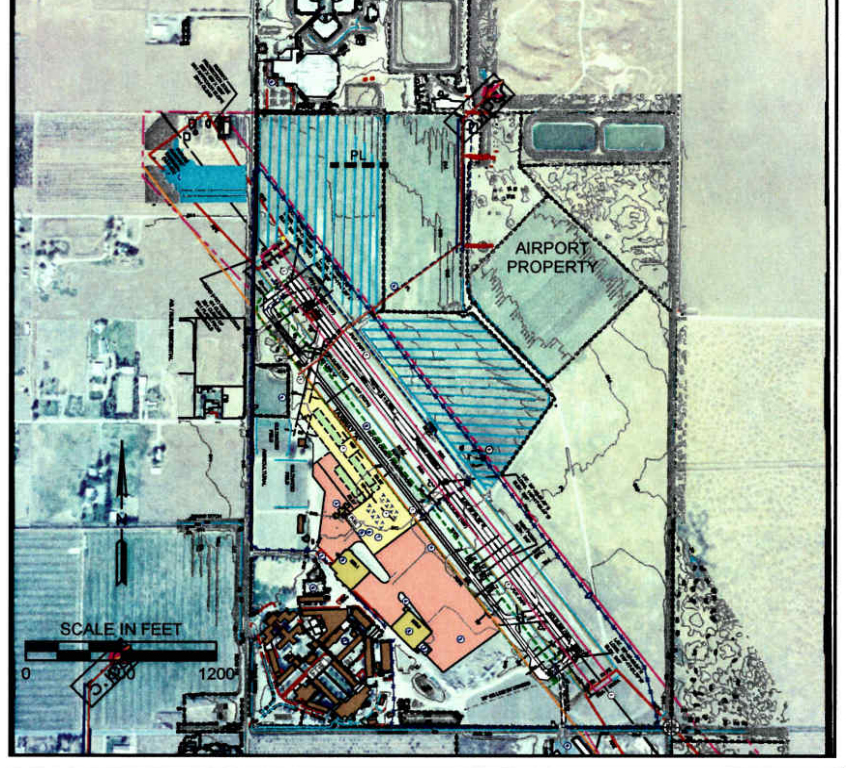
(j) No site specific wind data is available. Fresno is shown.

(k) Designated airport property is 117.2 acres. Total airport property is 320 acres. See Exhibit "A".

## AIRPORT DATA

| | | EXISTING | FUTURE |
|---|---|---|---|
| AIRPORT REFERENCE CODE CATEGORY | | B-I (SMALL) | SAME |
| ELEVATION (MSL) NAVD 88 | | 315' | SAME |
| TEMPERATURE (MEAN MAX. OF HOTTEST MONTH) | | 96.0° (JULY) | SAME |
| AIRPORT REFERENCE POINT (ARP) COORDINATES (NAD 83) | LATITUDE | 36° 16' 07.48" N | SAME |
| | LONGITUDE | 119° 11' 28.44" W | SAME |
| NAVIGATIONAL AIDS | | NONE | ROTATING BEACON |
| GPS APPROACH ESTABLISHED | | NO | NON-PRECISION |
| DESIGNATED AIRPORT ACREAGE (FEE SIMPLE / EASEMENT) | | 117.2 / NONE | SAME / 21 |
| AIRCRAFT TIEDOWNS | | 34 | 24 |
| AIRCRAFT HANGARS (INDIVIDUAL HANGAR UNITS / LARGE HANGARS) | | 3 / 2 | 19/2 |

## PROPERTY MAP




| NO. | DATE | BY | REVISIONS |
|---|---|---|---|
| 1 | 11-09 | WEC | UPDATE T/W AIP #4 |

DRAWN DLH | CHECKED RPW | DESIGNED JDF

SEQUOIA FIELD AIRPORT
A TULARE COUNTY AVIATION FACILITY
VISALIA CALIFORNIA

AIRPORT LAYOUT PLAN
(D86)

JOB NUMBER 1421 | DRAWING NUMBER 1421-1ALP

DRAWING 1 / OF 2

SCALE AS SHOWN

DATE AUG 2010

WADELL ENGINEERING CORPORATION AIRPORT PLANNING • ENGINEERING • MANAGEMENT san francisco bay area


# SEQUOIA FIELD AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONE |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
13°26' E (2009)

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| SEQUOIA FIELD AIRPORT | FIGURE SEQ-2 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: D86-02-Runway Safety Area.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE:1"= 3,000' |


# SEQUOIA FIELD AIRPORT

## FAR PART 77 IMAGINARY SURFACES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONE |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

TRUE NORTH
MAGNETIC NORTH
13°26' E (2009)

0 1,000 2,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| SEQUOIA FIELD AIRPORT | FIGURE SEQ-3 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: D86-03-Part-77.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE: 1"= 3,000' |

# 5.7 EXETER AIRPORT

## 5.7.1 AIRPORT

Exeter Airport (formerly known as Thunderhawk Field) is situated on 26 acres at an elevation of 340 feet above mean sea level. The Airport is accessed via Road 188. The Airport is privately-owned, managed and maintained and is open for public use.

The Airport is not included in the FAA *National Plan of Integrated Airport Systems* (NPIAS) but would be designated as an airport reference code (ARC) A-I airport by the FAA. The Airport is classified as a Community General Aviation Airport in the *California Aviation System Plan.*

The runway is oriented northwest to southeast. Runway 13-31 is 2,800 feet long and 40 feet wide. There is a 400-foot displaced landing threshold on Runway 13 and a 200-foot displaced landing threshold on Runway 31. There are left-hand traffic patterns for both runway ends. According to the latest FAA Form 5010-1, *Airport Master Record,* there are an estimated 400 annual aircraft operations at the Airport.

There is no Airport Master Plan or Airport Layout Plan for this Airport. The Caltrans, Division of Aeronautics, has approved the use of the existing facilities drawing as the basis for this CALUP. The existing airport facilities are illustrated on Figure EXE-1.

## 5.7.2 COMPREHENSIVE AIRPORT LAND USE PLAN

### 5.7.2.1 Safety Compatibility Zones

The safety compatibility zones are based on the existing 2,800-foot long runway and illustrated on Figure EXE-2. The safety compatibility zone dimensions are based on those for a short general aviation runway length of less than 4,000 feet shown on Figure 3A of the 2011 Caltrans *Handbook*.

### 5.7.2.2 Noise Compatibility

Aircraft operations at the Airport are estimated to total 400 annual aircraft operations. Almost all of these operations are by small single-engine aircraft. There are no agricultural aircraft operations. Therefore, it is not expected that the 65 dB CNEL aircraft noise exposure contours would extend beyond the airport property. Because of the number and type of aircraft operations at the Airport, the 60 dB CNEL aircraft noise exposure contour is not expected to extend beyond the Airport property.

### 5.7.2.3 Airspace Protection Surfaces

The FAR Part 77 imaginary surfaces at the Exeter Airport are illustrated on Figure EXE-3. The approach surfaces to both ends of the runway are 20 to 1 visual approach surfaces. Therefore the FAR Part 77 conical surface, which the Tulare County Airport Land Use Commission (ALUC) uses to define the Airport Influence Area continues to extend out 9,000 feet from the primary surface. The horizontal surface continues to extend out 5,000 feet from the primary surface.

### 5.7.3 AIRPORT SPECIFIC ALUC POLICIES

The ALUC is proposing no special policies for the Exeter Airport.

### 5.7.4 LAND USE AND AVAILABLE LAND USE CONTROLS

Land uses in the Exeter Airport Influence Area are almost exclusively agricultural in nature with scattered residential dwellings.

Land use controls are provided by the Tulare County General Plan and Zoning Ordinance. As noted previously, the County of Tulare Zoning Ordinance includes Section 14.1, "Airport Impact Zone" (or "AP" zone) which implements land use policies for airport impact areas identified within the County General Plan. The ordinance provides a listing of permitted and specifically restricted land uses. Residential land uses are specifically restricted from the Airport Impact Zone. Separately in the Ordinance Code of Tulare County, Part VII, Chapter 13, "Airport Zoning Regulations" implements the California Airport Approaches Zoning Law. The County's Airport Zoning Map is established through this ordinance; however the Exeter Airport is not included in this ordinance.


# EXETER AIRPORT

## EXISTING AIRPORT FACILITIES

TRUE NORTH

MAGNETIC NORTH
14°26.25'E (2004)

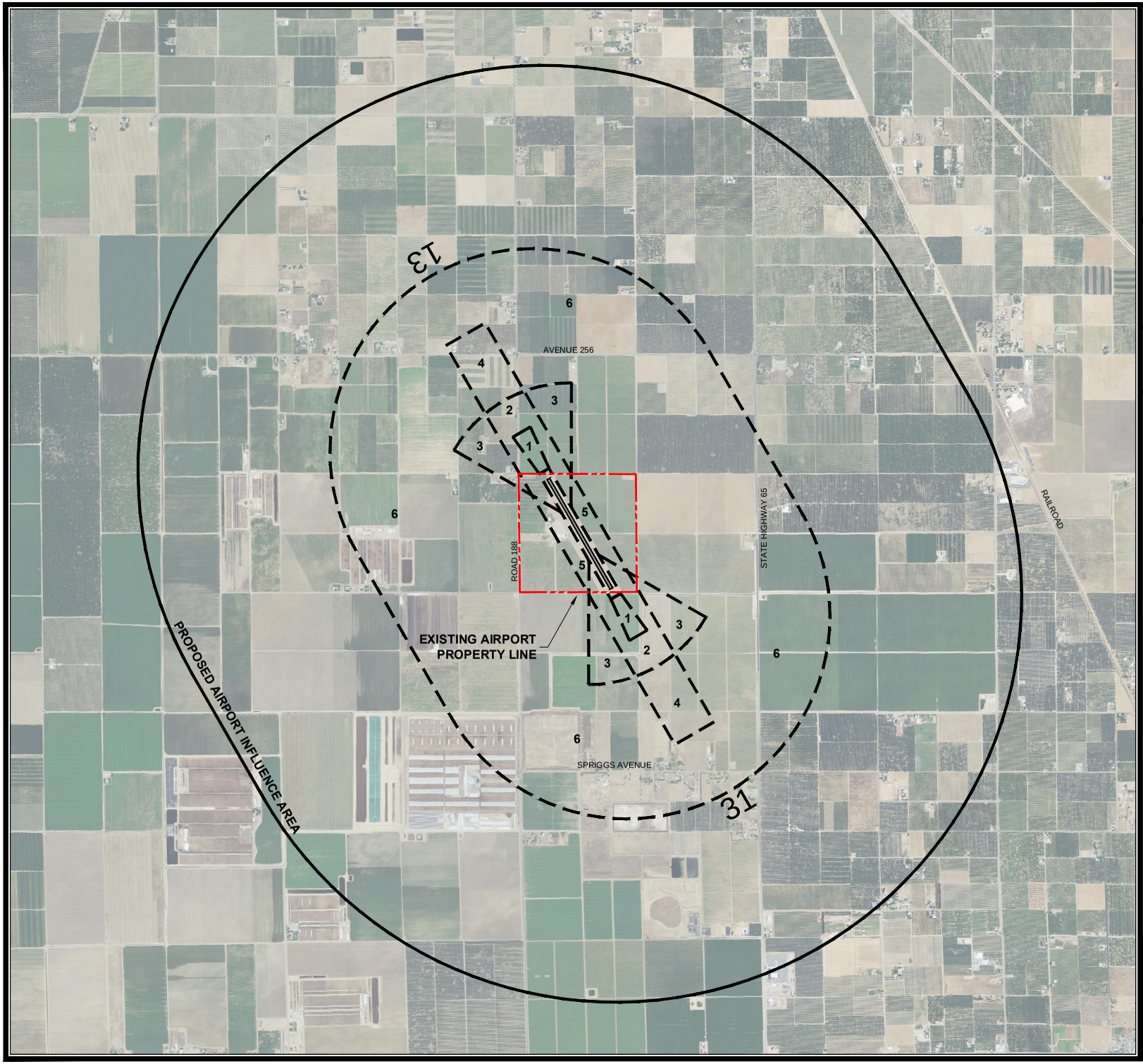
0 400 800
200 600
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| EXETER AIRPORT | FIGURE 1 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: O63-01-Existing Facilities.dwg | NO: 4490-05 |
| DATE: 03-28-2011 | PLOT SCALE: 1"= 800 |

FIGURE EXE-1




# EXETER AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER SAFETY ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER SAFETY ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
14°26.25'E (2004)

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| EXETER AIRPORT | FIGURE EXE-2 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: O63-02-Runway Safety Area.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE:1"= 3,000' |


# EXETER AIRPORT

## FAR PART 77 IMAGINARY SURFACES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

TRUE NORTH

MAGNETIC NORTH
14°26.25'E (2004)

0 1,000 2,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| EXETER AIRPORT | FIGURE EXE-3 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: O63-03-Part-77.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE: 1"= 3,000' |

# 5.8 ECKERT FIELD

## 5.8.1 AIRPORT

Eckert Field is situated on 27 acres at an elevation of 426 feet mean sea level. The Airport is located 1.5 miles northeast of the unincorporated community of Strathmore adjacent to Avenue 204 near the intersection of Road 236. The Airport serves Strathmore and the central foothill region of Tulare County. The Airport is privately-owned, maintained and managed and is open for public use.

The Airport is not included in the FAA *National Plan of Integrated Airport Systems* (NPIAS) but would be designated as an airport reference code (ARC) A-I airport by the FAA. The Airport is classified as a Community General Aviation Airport in the *California Aviation System Plan.*

The runway is oriented northwest to southeast. Runway 13-31 is 2,000 feet long and 50 feet wide. There is a 185-foot displaced landing threshold on Runway 13 and a 265-foot displaced landing threshold on Runway 31. There are left-hand traffic patterns for both runway ends. According to the latest FAA 5010-1, *Airport Master Record*, there are an estimated 3,850 annual aircraft operations at the Airport.

There is no Airport Master Plan or Airport Layout Plan for this Airport. The existing airport facilities are illustrated on Figure ECK-1 and will serve as the basis for the Comprehensive Airport Land Use Plan (CALUP). Approval has been received from Caltrans, Division of Aeronautics, to use the existing facilities drawing as the basis for the CALUP.

## 5.8.2 COMPREHENSIVE AIRPORT LAND USE PLAN

### 5.8.2.1 Safety Compatibility Zones

The safety compatibility zones are based on the existing 2,000-foot long runway and illustrated on Figure ECK-2. The safety compatibility zone dimensions are based on those for a short general aviation runway length of less than 4,000 feet shown on Figure 3A of the 2011 Caltrans *Handbook*.

### 5.8.2.2 Noise Compatibility

Aircraft operations at the Airport are estimated to total 3,850 annual aircraft operations. Almost all of these operations are by small single-engine aircraft. Therefore, it is not expected that the 60 and 65 dB CNEL aircraft noise exposure contours would extend beyond the airport property.

### 5.8.2.3 Airspace Protection Surfaces

The FAR Part 77 imaginary surfaces at Eckert Field are illustrated on Figure ECK-3. The approach surfaces to both ends of the runway are 20 to 1 visual approach surfaces. Therefore the FAR Part 77 conical surface, which the Tulare County Airport Land Use Commission (ALUC) uses to define the Airport Influence Area continues to extend out 9,000 feet from the primary surface. The horizontal surface continues to extend out 5,000 feet from the primary surface.

### 5.8.3 AIRPORT SPECIFIC ALUC POLICIES

The ALUC is proposing no special policies for Eckert Field.

### 5.8.4 LAND USE AND AVAILABLE LAND USE CONTROLS

Land use within the Eckert Field Airport Influence Area is primarily agricultural, although the unincorporated community of Strathmore is located southwest of the Airport.

Land use controls within the Eckert Field Airport Influence Area are provided by the Tulare County General Plan and Zoning Ordinance. Current zoning is primarily AE-20, except in the Strathmore vicinity. As noted previously, the County of Tulare Zoning Ordinance includes Section 14.1, "Airport Impact Zone" (or "AP" zone) which implements land use policies for airport impact areas identified within the County General Plan. The ordinance provides a listing of permitted and specifically restricted land uses. Residential land uses are specifically restricted from the Airport Impact Zone. Separately in the Ordinance Code of Tulare County, Part VII, Chapter 13, "Airport Zoning Regulations" implements the California Airport Approaches Zoning Law. The County's Airport Zoning Map is established through this ordinance; however Eckert Field is not specifically included in this ordinance.


# ECKERT FIELD

## EXISTING AIRPORT FACILITIES

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

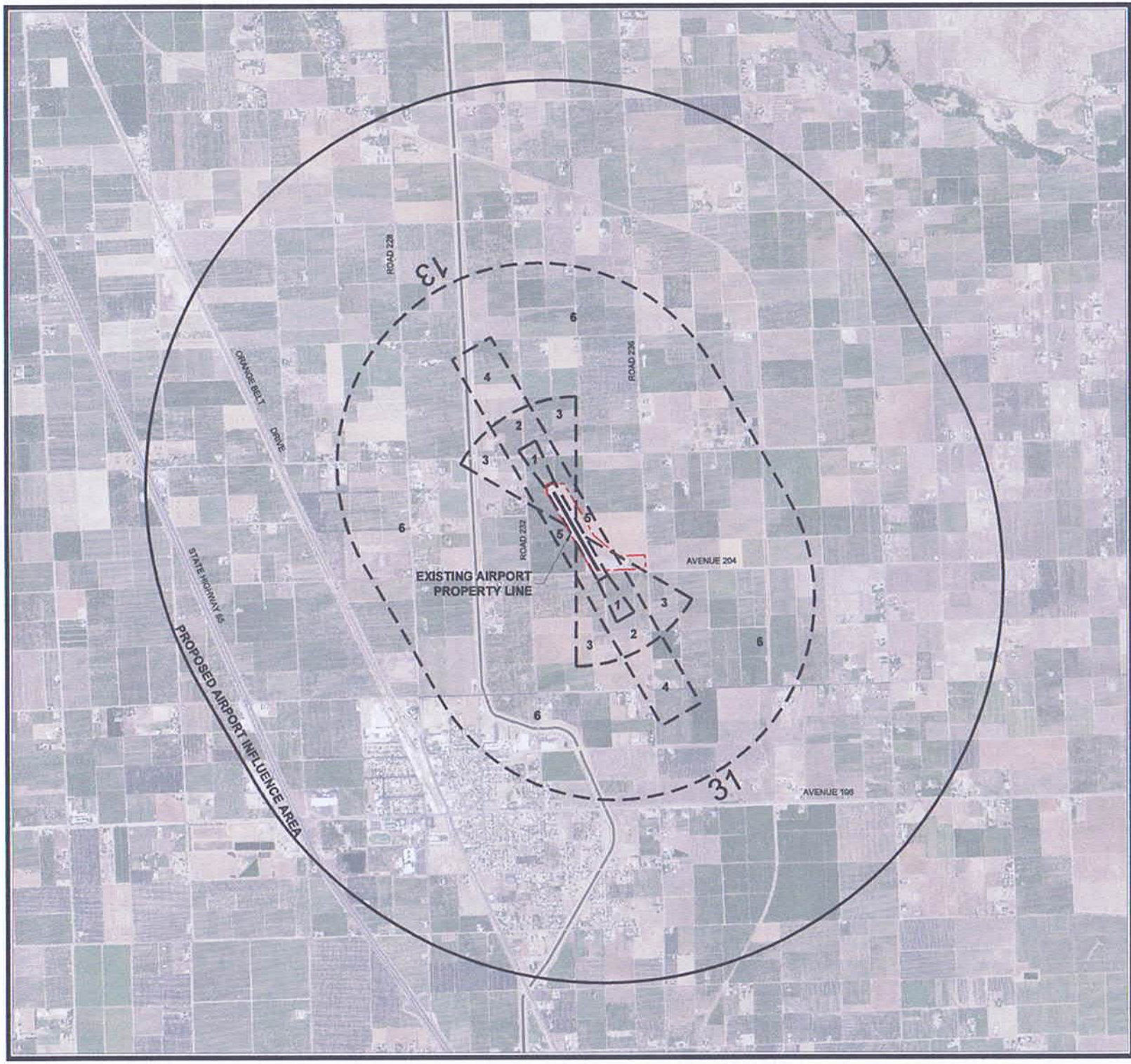
0 400
200 600
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| ECKERT FIELD | FIGURE 1 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: 1Q1-01-Existing Facilities.dwg | NO: 4490-05 |
| DATE: 03-28-2011 | PLOT SCALE: 1"=600' |

FIGURE ECK-1




# ECKERT FIELD

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH 15°E(2003)

0 1,000 2,000 3,000

GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

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| | |
|---|---|
| ECKERT FIELD | FIGURE ECK-2 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: 1Q1-02-Runway Safety Areas.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE: 1"=3,000' |


# EXETER AIRPORT

## FAR PART 77 IMAGINARY SURFACES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

TRUE NORTH

MAGNETIC NORTH
14°26.25'E (2004)

0 1,000 2,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| EXETER AIRPORT | FIGURE EXE-3 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: O63-03-Part-77.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE: 1"= 3,000' |

# APPENDIX A

# STATE AERONAUTICS ACT
# AIRPORT LAND USE COMMISSION

# AERONAUTICS LAW
# PUBLIC UTILITIES CODE
## Division 9—Aviation
## Part 1—State Aeronautics Act
## Chapter 4—Airports and Air Navigation Facilities

### *Article 3.5*
### *Airport Land Use Commission*

(As of January 2011)

**21670. Creation, Membership, Selection**

(a) The Legislature hereby finds and declares that:

(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

(2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

(b) In order to achieve the purposes of this article, every county in which there is located an airport which is served by a sch eduled airline shall establish an airport land use commission. Every county, in which there is located an airport which is not served by a scheduled airline, but is operated for the benefit of the general public, shall establish an airport land use commission, except that the board of supervisors of the county may, after consultation with the appropriate airport operators and affected local entities and after a public hearing, adopt a resolution finding that there are no noise, public safety, or land use issues affecting any airport in the county which require the creation of a commission and declaring the county exempt from that requirement. The board shall, in this event, transmit a copy of the resolution to the Director of Transportation. For purposes of this section, "commission" means an airport land use commission. Each commission shall consist of seven members to be selected as follows:

(1) Two representing the cities in the county, appointed by a city selection committee comprised of the mayors of all the cities within that county, except that if there are any cities contiguous or adjacent to the qualifying airport, at least one representative shall be appointed therefrom. If there are no cities within a county, the number of representatives provided for by paragraphs (2) and (3) shall each be increased by one.

(2) Two representing the county, appointed by the board of supervisors.

(3) Two having expertise in aviation, appointed by a selection committee comprised of the managers of all of the public airports within that county.

(4) One representing the general public, appointed by the other six members of the commission.

(c) Public officers, whether elected or appointed, may be appointed and serve as members of the commission during their terms of public office.

(d) Each member shall promptly appoint a single proxy to represent him or her in commission affairs and to vote on all matters when the member is not in attendance. The proxy shall be designated in a signed written instrument which shall be kept on file at the commission offices, and the proxy shall serve at the pleasure of the appointing member. A vacancy in the office of proxy shall be filled promptly by appointment of a new proxy.

(e) A person having an "expertise in aviation" means a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency which owns or operates an airport.

(f) It is the intent of the Legislature to clarify that, for the purposes of this article, 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 this article.

**21670.1. Action by Designated Body Instead of Commission**

(a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning responsibilities of an airport land use commission as provided for in this article, and a commission need not be formed in that county.

(b) A body designated pursuant to subdivision (a) that does not include among its membership at least two members having expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an airport land use commission, be augmented so that body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988.

(c)

(1) Notwithstanding subdivisions (a) and (b), and subdivision (b) of Section 21670, if the board of supervisors of a county and each affected city in that county each makes a determination that proper land use planning pursuant to this article can be accomplished pursuant to this subdivision, then a commission need not be formed in that county.

(2) If the board of supervisors of a county and each affected city makes a determination that proper land use planning may be accomplished and a commission is not formed pursuant to paragraph (1), that county and the appropriate affected cities having jurisdiction over an airport, subject to the review and approval by the Division of Aeronautics of the department, shall do all of the following:

(A) Adopt processes for the preparation, adoption, and amendment of the airport land use compatibility plan for each airport that is served by a scheduled airline or operated for the benefit of the general public.

(B) Adopt processes for the notification of the general public, landowners, interested groups, and other public agencies regarding the preparation, adoption, and amendment of the airport land use compatibility plans.

(C) Adopt processes for the mediation of disputes arising from the preparation, adoption, and amendment of the airport land use compatibility plans.

(D) Adopt processes for the amendment of general and specific plans to be consistent with the airport land use compatibility plans.

(E) Designate the agency that shall be responsible for the preparation, adoption, and amendment of each airport land use compatibility plan.

(3) The Division of Aeronautics of the department shall review the processes adopted pursuant to paragraph (2), and shall approve the processes if the division determines that the processes are consistent with the procedure required by this article and will do all of the following:

(A) Result in the preparation, adoption, and implementation of plans within a reasonable amount of time.

(B) Rely on the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations.

(C) Provide adequate opportunities for notice to, review of, and comment by the general public, landowners, interested groups, and other public agencies.

(4) If the county does not comply with the requirements of paragraph (2) within 120 days, then the airport land use compatibility plan and amendments shall not be considered adopted pursuant to this article and a commission shall be established within 90 days of the determination of noncompliance by the division and an airport land use compatibility plan shall be adopted pursuant to this article within 90 days of the establishment of the commission.

(d) A commission need not be formed in a county that has contracted for the preparation of airport land use compatibility plans with the Division of Aeronautics under the California Aid to Airports Program (Chapter 4 ( commencing with Section 4050) of Title 21 of the California Code of Regulations), Project Ker-VAR 90-1, and that submits all of the following information to the Division of Aeronautics for review and comment that the county and the cities affected by the airports within the county, as defined by the airport land use compatibility plans:

(1) Agree to adopt and implement the airport land use compatibility plans that have been developed under contract.

(2) Incorporated the height, use, noise, safety, and density criteria that are compatible with airport operations as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, as part of the general and specific plans for the county and for each affected city.

(3) If the county does not comply with this subdivision on or before May 1, 1995, then a commission shall be established in accordance with this article.

(e)

(1) A commission need not be formed in a county if all of the following conditions are met:

(A) The county has only one public use airport that is owned by a city.

(i) The county and the affected city adopt the elements in paragraph (2) of subdivision (d), as part of their general and specific plans for the county and the affected city.

(ii) The general and specific plans shall be submitted, upon adoption, to the Division of Aeronautics. If the county and the affected city do not submit the elements specified in paragraph (2) of subdivision (d), on or before May 1, 1996, then a commission shall be established in accordance with this article.

**21670.2. Los Angeles County Applicability to Counties Having over 4 Million Population**

(a) Sections 21670 and 21670.1 do not apply to the County of Los Angeles. In that county, the county regional planning commission has the responsibility for coordinating the airport planning of public agencies within the county. In instances where impasses result relative to this planning, an appeal may be made to the county regional planning commission by any public agency involved. The action taken by the county regional planning commission on an appeal may be overruled by a four-fifths vote of the governing body of a public agency whose planning led to the appeal.

(b) By January 1, 1992, the county regional planning commission shall adopt the airport land use compatibility plans required pursuant to Section 21675.

(c) Sections 21675.1, 21675.2, and 21679.5 do not apply to the County of Los Angeles until January 1, 1992. If the airport land use compatibility plans required pursuant to Section 21675 are not adopted by the county regional planning commission by January 1, 1992, Sections 21675.1 and 21675.2 shall apply to the County of Los Angeles until the airport land use compatibility plans are adopted.

**21670.3. San Diego County**

(a) Sections 21670 and 21670.1 do not apply to the County of San Diego. In that county, the San Diego County Regional Airport Authority, as established pursuant to Section 170002, shall be responsible for the preparation, adoption, and amendment of an airport land use compatibility plan for each airport in San Diego County.

(b) The San Diego County Regional Airport Authority shall engage in a public collaborative planning process when preparing and updating an airport land use compatibility plan.

**21670.4. Intercounty Airports**

(a) As used in this section, "intercounty airport" means any airport bisected by a county line through its runways, runway protection zones, inner safety zones, inner turning zones, outer safety zones, or sideline safety zones, as defined by the department's Airport Land Use Planning Handbook and referenced in the airport land use compatibility plan formulated under Section 21675.

(b) It is the purpose of this section to provide the opportunity to establish a separate airport land use commission so that an intercounty airport may be served by a single airport land use planning agency, rather than having to look separately to the airport land use commissions of the affected counties.

(c) In addition to the airport land use commissions created under Section 21670 or the alternatives established under Section 21670.1, for their respective counties, the boards of supervisors and city selection committees for the affected counties, by independent majority vote of each county's two delegations, for any intercounty airport, may do either of the following:

(1) Establish a single separate airport land use commission for that airport. That commission shall consist of seven members to be selected as follows:

(A) One representing the cities in each of the counties, appointed by that county's city selection committee.

(B) One representing each of the counties, appointed by the board of supervisors of each county.

(C) One from each county having expertise in aviation, appointed by a selection committee comprised of the managers of all the public airports within that county.

(D) One representing the general public, appointed by the other six members of the commission.

(2) In accordance with subdivision (a) or (b) of Section 21670.1, designate an existing appropriate entity as that airport's land use commission.

**21671. Airport Owned by a City, District, or County**

In any county where there is an airport operated for the general public which is owned by a city or district in another county or by another county, one of the representatives provided by paragraph (1) of subdivision (b) of Section 21670 shall be appointed by the city selection committee of mayors of the cities of the county in which the owner of that airport is located, and one of the representatives provided by paragraph (2) of subdivision (b) of Section 21670 shall be appointed by the board of supervisors of the county in which the owner of that airport is located.

**21671.5. Term of Office**

(a) Except for the terms of office of the members of the first commission, the term of office of each member shall be four years and until the appointment and qualification of his or her successor. The members of the first commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members is four years. The body that originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which that member's term is to expire. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant. The chairperson of the commission shall be selected by the members thereof.

(b) Compensation, if any, shall be determined by the board of supervisors.

(c) Staff assistance, including the mailing of notices and the keeping of minutes and necessary quarters, equipment, and supplies shall be provided by the county. The usual and necessary operating expenses of the commission shall be a county charge.

(d) Notwithstanding any other provisions of this article, the commission shall not employ any personnel either as employees or independent contractors without the prior approval of the board of supervisors.

(e) The commission shall meet at the call of the commission chairperson or at the request of the majority of the commission members. A majority of the commission members shall constitute a quorum for the transaction of business. No action shall be taken by the commission except by the recorded vote of a majority of the full membership.

(f) The commission may establish a schedule of fees necessary to comply with this article. Those fees shall be charged to the proponents of actions, regulations, or permits, shall not exceed the estimated reasonable cost of providing the service, and shall be imposed pursuant to Section 66016 of the Government Code. Except as provided in subdivision (g), after June 30, 1991, a commission that has not adopted the airport land use compatibility plan required by Section 21675 shall not charge fees pursuant to this subdivision until the commission adopts the plan.

(g) In any county that has undertaken by contract or otherwise completed airport land use compatibility plans for at least one-half of all public use airports in the county, the commission may continue to charge fees necessary to comply with this article until June 30, 1992, and, if the airport land use compatibility plans are complete by that date, may continue charging fees after June 30, 1992. If the airport land use compatibility plans are not complete by June 30, 1992, the commission shall not charge fees pursuant to subdivision (f) until the commission adopts the land use plans.

**21672. Rules and Regulations**

Each commission shall adopt rules and regulations with respect to the temporary disqualification of its members from participating in the review or adoption of a proposal because of conflict of interest and with respect to appointment of substitute members in such cases.

**21673. Initiation of Proceedings for Creation by Owner of Airport**

In any county not having a commission or a body designated to carry out the responsibilities of a commission, any owner of a public airport may initiate proceedings for the creation of a commission by presenting a request to the board of supervisors that a commission be created and showing the need therefore to the satisfaction of the board of supervisors.

**21674. Powers and Duties**

The commission has the following powers and duties, subject to the limitations upon its jurisdiction set forth in Section 21676:

(a) To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.

(b) To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.

(c) To prepare and adopt an airport land use compatibility plan pursuant to Section 21675.

(d) To review the plans, regulations, and other actions of local agencies and airport operators pursuant to Section 21676.

(e) The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport.

(f) In order to carry out its responsibilities, the commission may adopt rules and regulations consistent with this article.

**21674.5. Training of Airport Land Use Commission's Staff**

(a) The Department of Transportation shall develop and implement a program or programs to assist in the training and development of the staff of airport land use commissions, after consulting with airport land use commissions, cities, counties, and other appropriate public entities.

(b) The training and development program or programs are intended to assist the staff of airport land use commissions in addressing high priority needs, and may include, but need not be limited to, the following:

(1) The establishment of a process for the development and adoption of airport land use compatibility plans.

(2) The development of criteria for determining the airport influence area.

(3) The identification of essential elements that should be included in the airport land use compatibility plans.

(4) Appropriate criteria and procedures for reviewing proposed developments and determining whether proposed developments are compatible with the airport use.

(5) Any other organizational, operational, procedural, or technical responsibilities and functions that the department determines to be appropriate to provide to commission staff and for which it determines there is a need for staff training or development.

(c) The department may provide training and development programs for airport land use commission staff pursuant to this section by any means it deems appropriate. Those programs may be presented in any of the following ways:

(1) By offering formal courses or training programs.

(2) By sponsoring or assisting in the organization and sponsorship of conferences, seminars, or other similar events.

(3) By producing and making available written information.

(4) Any other feasible method of providing information and assisting in the training and development of airport land use commission staff.

**21674.7. Airport Land Use Planning Handbook**

(a) An airport land use commission that formulates, adopts, or amends an airport land use compatibility plan shall be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation.

(b) It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan prepared by a commission pursuant to Section 21675. This subdivision does not limit the jurisdiction of a commission as established by this article. This subdivision does not limit the authority of local agencies to overrule commission actions or recommendations pursuant to Sections 21676, 21676.5, or 21677.

**21675. Land Use Plan**

(a) Each commission shall formulate an airport land use compatibility plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The commission's airport land use compatibility plan shall include and shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the Department of Transportation, that reflects the anticipated growth of the airport during at least the next 20 y ears. In formulating an airport land use compatibility plan, the commission may develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports, within the airport influence area. The airport land use compatibility plan shall be reviewed as often as necessary in order to accomplish its purposes, but shall not be amended more than once in any calendar year.

(b) The commission shall include, within its airport land use compatibility plan formulated pursuant to subdivision (a), the area within the jurisdiction of the commission surrounding any military airport for all of the purposes specified in subdivision (a). The airport land use compatibility plan shall be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport. This subdivision does not give the commission any jurisdiction or authority over the territory or operations of any military airport.

(c) The airport influence area shall be established by the commission after hearing and consultation with the involved agencies.

(d) The commission shall submit to the Division of Aeronautics of the department one copy of the airport land use compatibility plan and each amendment to the plan.

(e) If an airport land use compatibility plan does not include the matters required to be included pursuant to this article, the Division of Aeronautics of the department shall notify the commission responsible for the plan.

**21675.1. Adoption of Land Use Plan**

(a) By June 30, 1991, each commission shall adopt the airport land use compatibility plan required pursuant to Section 21675, except that any county that has undertaken by contract or otherwise completed airport land use compatibility plans for at least one-half of all public use airports in the county, shall adopt that airport land use compatibility plan on or before June 30, 1992.

(b) Until a commission adopts an airport land use compatibility plan, a city or county shall first submit all actions, regulations, and permits within the vicinity of a public airport to the commission for review and approval. Before the commission approves or disapproves any actions, regulations, or permits, the commission shall give public notice in the same manner as the city or county is required to give for those actions, regulations, or permits. As used in this section, "vicinity" means land that will be included or reasonably could be included within the airport land use compatibility plan. If the commission has not designated an airport influence area for the airport land use compatibility plan, then "vicinity" means land within two miles of the boundary of a public airport.

(c) The commission may approve an action, regulation, or permit if it finds, based on substantial evidence in the record, all of the following:

(1) The commission is making substantial progress toward the completion of the airport land use compatibility plan.

(2) There is a reasonable probability that the action, regulation, or permit will be consistent with the airport land use compatibility plan being prepared by the commission.

(3) There is little or no probability of substantial detriment to or interference with the future adopted airport land use compatibility plan if the action, regulation, or permit is ultimately inconsistent with the airport land use compatibility plan.

(d) If the commission disapproves an action, regulation, or permit, the commission shall notify the city or county. The city or county may overrule the commission, by a two-thirds vote of its governing body, if it makes specific findings that the proposed action, regulation, or permit is consistent with the purposes of this article, as stated in Section 21670.

(e) If a city or county overrules the commission pursuant to subdivision (d), that action shall not relieve the city or county from further compliance with this article after the commission adopts the airport land use compatibility plan.

(f) If a city or county overrules the commission pursuant to subdivision (d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit.

(g) A commission may adopt rules and regulations that exempt any ministerial permit for single-family dwellings from the requirements of subdivision (b) if it makes the findings required pursuant to subdivision (c) for the proposed rules and regulations, except that the rules and regulations may not exempt either of the following:

(1) More than two single-family dwellings by the same applicant within a subdivision prior to June 30, 1991.

(2) Single-family dwellings in a subdivision where 25 percent or more of the parcels are undeveloped.

**21675.2. Approval or Disapproval of Actions, Regulations, or Permits**

(a) If a commission fails to act to approve or disapprove any actions, regulations, or permits within 60 days of receiving the request pursuant to Section 21675.1, the applicant or his or her representative may file an action pursuant to Section 1094.5 of

the Code of Civil Procedure to compel the commission to act, and the court shall give the proceedings preference over all other actions or proceedings, except previously filed pending matters of the same character.

(b) The action, regulation, or permit shall be deemed approved only if the public notice required by this subdivision has occurred. If the applicant has provided seven days advance notice to the commission of the intent to provide public notice pursuant to this subdivision, then, not earlier than the date of the expiration of the time limit established by Section 21675.1, an applicant may provide the required public notice. If the applicant chooses to provide public notice, that notice shall include a description of the proposed action, regulation, or permit substantially similar to the descriptions which are commonly used in public notices by the commission, the location of any proposed development, the application number, the name and address of the commission, and a statement that the action, regulation, or permit shall be deemed approved if the commission has not acted within 60 days. If the applicant has provided the public notice specified in this subdivision, the time limit for action by the commission shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the commission shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.

(c) Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65946, inclusive, of the Government Code, may constitute grounds for disapproval of actions, regulations, or permits.

(d) Nothing in this section diminishes the commission's legal responsibility to provide, where applicable, public notice and hearing before acting on an action, regulation, or permit.

**21676. Review of Local General Plans**

(a) Each local agency whose general plan includes areas covered by an airport land use compatibility plan shall, by July 1, 1983, submit a copy of its plan or specific plans to the airport land use commission. The commission shall determine by August 31, 1983, whether the plan or plans are consistent or inconsistent with the airport land use compatibility plan. If the plan or plans are inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall have another hearing to reconsider its airport land use compatibility plans. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(b) Prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first

refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the public record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(c) Each public agency owning any airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, refer any proposed change to the airport land use commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The public agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the public agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the public agency governing body may act without them. The comments by the division or the commission are advisory to the public agency governing body. The public agency governing body shall include comments from the commission and the division in the final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(d) Each commission determination pursuant to subdivision (b) or (c) shall be made within 60 days from the date of referral of the proposed action. If a commission fails to make the determination within that period, the proposed action shall be deemed consistent with the airport land use compatibility plan.

**21676.5. Review of Local Plans**

(a) If the commission finds that a local agency has not revised its general plan or specific plan or overruled the commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670, the commission may require that the local agency submit all subsequent actions, regulations, and permits to the commission for review until its general plan or specific plan is revised or the specific findings are made. If, in the determination of the commission, an action, regulation, or permit of the local agency is inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall hold a hearing to reconsider its plan. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670. At least 45 days

prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(b) Whenever the local agency has revised its general plan or specific plan or has overruled the commission pursuant to subdivision (a), the proposed action of the local agency shall not be subject to further commission review, unless the commission and the local agency agree that individual projects shall be reviewed by the commission.

**21677. Marin County Override Provisions**

Notwithstanding the two-thirds vote required by Section 21676, any public agency in the County of Marin may overrule the Marin County Airport Land Use Commission by a majority vote of its governing body. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the public agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the public agency governing body may act without them. The comments by the division or the commission are advisory to the public agency governing body. The public agency governing body shall include comments from the commission and the division in the public record of the final decision to overrule the commission, which may be adopted by a majority vote of the governing body.

**21678. Airport Owner's Immunity**

With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation.

**21679. Court Review**

(a) In any county in which there is no airport land use commission or other body designated to assume the responsibilities of an airport land use commission, or in which the commission or other designated body has not adopted an airport land use compatibility plan, an interested party may initiate proceedings in a court of competent jurisdiction to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, that directly affects the use of land within one mile of the boundary of a public airport within the county.

(b) The court may issue an injunction that postpones the effective date of the zoning change, zoning variance, permit, or regulation until the governing body of the local agency that took the action does one of the following:

(1) In the case of an action that is a legislative act, adopts a resolution declaring that the proposed action is consistent with the purposes of this article stated in Section 21670.

(2) In the case of an action that is not a legislative act, adopts a resolution making findings based on substantial evidence in the record that the proposed action is consistent with the purposes of this article stated in Section 21670.

(3) Rescinds the action.

(4) Amends its action to make it consistent with the purposes of this article stated in Section 21670, and complies with either paragraph (1) or (2), whichever is applicable.

(c) The court shall not issue an injunction pursuant to subdivision (b) if the local agency that took the action demonstrates that the general plan and any applicable specific plan of the agency accomplishes the purposes of an airport land use compatibility plan as provided in Section 21675.

(d) An action brought pursuant to subdivision (a) shall be commenced within 30 days of the decision or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever is longer.

(e) If the governing body of the local agency adopts a resolution pursuant to subdivision (b) with respect to a publicly owned airport that the local agency does not operate, the operator of the airport shall be immune from liability for damages to property or personal injury from the local agency's decision to proceed with the zoning change, zoning variance, permit, or regulation.

(f) As used in this section, "interested party" means any owner of land within two miles of the boundary of the airport or any organization with a demonstrated interest in airport safety and efficiency.

**21679.5. Deferral of Court Review**

(a) Until June 30, 1991, no action pursuant to Section 21679 to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary of a public airport, shall be commenced in any county in which the commission or other designated body has not adopted an airport land use compatibility plan, but is making substantial progress toward the completion of the airport land use compatibility plan.

(b) If a commission has been prevented from adopting the airport land use compatibility plan by June 30, 1991, or if the adopted airport land use compatibility plan could not become effective, because of a lawsuit involving the adoption of the airport land use compatibility plan, the June 30, 1991, date in subdivision (a) shall be extended by the period of time during which the lawsuit was pending in a court of competent jurisdiction.

(c) Any action pursuant to Section 21679 commenced prior to January 1, 1990, in a county in which the commission or other designated body has not adopted an airport land use compatibility plan, but is making substantial progress toward the completion of the airport land use compatibility plan, which has not proceeded to final judgment, shall be held in abeyance until June 30, 1991. If the commission or other designated body

adopts an airport land use compatibility plan on or before June 30, 1991, the action shall be dismissed. If the commission or other designated body does not adopt an airport land use compatibility plan on or before June 30, 1991, the plaintiff or plaintiffs may proceed with the action.

(d) An action to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary of a public airport for which an airport land use compatibility plan has not been adopted by June 30, 1991, shall be commenced within 30 days of June 30, 1991, or within 30 days of the decision by the local agency, or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever date is later.

# APPENDIX B

# FEDERAL AVIATION REGULATIONS
# PART 77

Appendix B

# Federal Aviation Regulations Part 77

(Effective January 18, 2011)

**Subpart A**
***General***

**77.1 Purpose.**

This part establishes:

(a) The requirements to provide notice to the FAA of certain proposed construction, or the alteration of existing structures;

(b) The standards used to determine obstructions to air navigation, and navigational and communication facilities;

(c) The process for aeronautical studies of obstructions to air navigation or navigational facilities to determine the effect on the safe and efficient use of navigable airspace, air navigation facilities or equipment; and

(d) The process to petition the FAA for discretionary review of determinations, revisions, and extensions of determinations.

**77.3 Definitions.**

For the purpose of this part:

"Non-precision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on an FAA planning document or military service military airport planning document.

Planned or proposed airport is an airport that is the subject of at least one of the following documents received by the FAA:

(1) Airport proposals submitted under 14 CFR Part 157.

(2) Airport Improvement Program requests for aid.

(3) Notices of existing airports where prior notice of the airport construction or alteration was not provided as required by 14 CFR Part 157.

(4) Airport layout plans.

(5) DOD proposals for airports used only by the U.S. Armed Forces.

(6) DOD proposals on joint-use (civil-military) airports.

(7) Completed airport site selection feasibility study.

"Precision instrument runway" means a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA-approved airport layout plan; a military service approved military airport layout plan; any other FAA planning document, or military service military airport planning document.

"Public use airport" is an airport available for use by the general public without a requirement for prior approval of the airport owner or operator.

"Seaplane base" is considered to be an airport only if its sea lanes are outlined by visual markers.

"Utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

"Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan, a military service approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

## Subpart B
## *Notice Requirements*

### 77.5 Applicability.

(a) If you propose any construction or alteration described in §77.9, you must provide adequate notice to the FAA of that construction or alteration.
(b) If requested by the FAA, you must also file supplemental notice before the start date and upon completion of certain construction or alterations that are described in §77.9.
(c) Notice received by the FAA under this subpart is used to:

(1) Evaluate the effect of the proposed construction or alteration on safety in air commerce and the efficient use and preservation of the navigable airspace and of airport traffic capacity at public use airports;

(2) Determine whether the effect of proposed construction or alteration is a hazard to air navigation;

(3) Determine appropriate marking and lighting recommendations, using FAA Advisory Circular 70/7460–1, Obstruction Marking and Lighting;

(4) Determine other appropriate measures to be applied for continued safety of air navigation; and

(5) Notify the aviation community of the construction or alteration of objects that affect the navigable airspace, including the revision of charts, when necessary.

**77.7 Form and time of notice.**

(a) If you are required to file notice under §77.9, you must submit to the FAA a completed FAA Form 7460–1, Notice of Proposed Construction or Alteration. FAA Form 7460–1 is available at FAA regional offices and on the Internet.

(b) You must submit this form at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest.

(c) If you propose construction or alteration that is also subject to the licensing requirements of the Federal Communications Commission (FCC), you must submit notice to the FAA on or before the date that the application is filed with the FCC.

(d) If you propose construction or alteration to an existing structure that exceeds 2,000 ft. in height above ground level (AGL), the FAA presumes it to be a hazard to air navigation that results in an inefficient use of airspace. You must include details explaining both why the proposal would not constitute a hazard to air navigation and why it would not cause an inefficient use of airspace.

(e) The 45-day advance notice requirement is waived if immediate construction or alteration is required because of an emergency involving essential public services, public health, or public safety. You may provide notice to the FAA by any available, expeditious means. You must file a completed FAA Form 7460–1 within 5 days of the initial notice to the FAA. Outside normal business hours, the nearest flight service station will accept emergency notices.

**77.9 Construction or alteration requiring notice.**

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

(a) Any construction or alteration that is more than 200 ft. AGL at its site.

(b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section.

(c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and

Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) or (b) of this section.

(d) Any construction or alteration on any of the following airports and heliports:

(1) A public use airport listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S. Government Flight Information Publications;

(2) A military airport under construction, or an airport under construction that will be available for public use;

(3) An airport operated by a Federal agency or the DOD.

(4) An airport or heliport with at least one FAA-approved instrument approach procedure.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation;

(2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device meeting FAA-approved siting criteria or an appropriate military service siting criteria on military airports, the location and height of which are fixed by its functional purpose;

(3) Any construction or alteration for which notice is required by any other FAA regulation.

(4) Any antenna structure of 20 feet or less in height, except one that would increase the height of another antenna structure.

**77.11 Supplemental notice requirements.**

(a) You must file supplemental notice with the FAA when:

(1) The construction or alteration is more than 200 feet in height AGL at its site; or

(2) Requested by the FAA.

(b) You must file supplemental notice on a prescribed FAA form to be received within the time limits specified in the FAA determination. If no time limit has been specified, you must submit supplemental notice of construction to the FAA within 5 days after the structure reaches its greatest height.

(c) If you abandon a construction or alteration proposal that requires supplemental notice, you must submit notice to the FAA within 5 days after the project is abandoned.

(d) If the construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

## Subpart C
## *Standards for Determining Obstructions to Air Navigation or Navigational Aids or Facilities*

### 77.13 Applicability.

This subpart describes the standards used for determining obstructions to air navigation, navigational aids, or navigational facilities. These standards apply to the following:

(a) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus.

(b) The alteration of any permanent or temporary existing structure by a change in its height, including appurtenances, or lateral dimensions, including equipment or material used therein.

### 77.15 Scope.

(a) This subpart describes standards used to determine obstructions to air navigation that may affect the safe and efficient use of navigable airspace and the operation of planned or existing air navigation and communication facilities. Such facilities include air navigation aids, communication equipment, airports, Federal airways, instrument approach or departure procedures, and approved off-airway routes.

(b) Objects that are considered obstructions under the standards described in this subpart are presumed hazards to air navigation unless further aeronautical study concludes that the object is not a hazard. Once further aeronautical study has been initiated, the FAA will use the standards in this subpart, along with FAA policy and guidance material, to determine if the object is a hazard to air navigation.

(c) The FAA will apply these standards with reference to an existing airport facility, and airport proposals received by the FAA, or the appropriate military service, before it issues a final determination.

(d) For airports having defined runways with specially prepared hard surfaces, the primary surface for each runway extends 200 feet beyond each end of the runway. For airports having defined strips or pathways used regularly for aircraft takeoffs and landings, and designated runways, without specially prepared hard surfaces, each end of the primary surface for each such runway shall coincide with the corresponding end of the runway. At airports, excluding seaplane bases, having a defined landing and takeoff area with no defined pathways for aircraft takeoffs and landings, a determination must be made as to which portions of the landing and takeoff area are regularly used as landing and takeoff pathways. Those determined pathways must be considered runways, and an appropriate primary surface as defined in §77.19 will be considered as longitudinally centered on each such runway. Each end of that primary surface must coincide with the corresponding end of that runway.

(e) The standards in this subpart apply to construction or alteration proposals on an airport (including heliports and seaplane bases with marked lanes) if that airport is one of the following before the issuance of the final determination:

(1) Available for public use and is listed in the Airport/Facility Directory, Supplement Alaska, or Supplement Pacific of the U.S. Government Flight Information Publications; or

(2) A planned or proposed airport or an airport under construction of which the FAA has received actual notice, except DOD airports, where there is a clear indication the airport will be available for public use; or,

(3) An airport operated by a Federal agency or the DOD; or,

(4) An airport that has at least one FAA-approved instrument approach.

**77.17 Obstruction standards.**

(a) An existing object, including a mobile object, is, and a future object would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:

(1) A height of 499 feet AGL at the site of the object.

(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

(3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within an en route obstacle clearance area, including turn and termination areas, of a Federal Airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.

(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under §77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

(b) Except for traverse ways on or near an airport with an operative ground traffic control service furnished by an airport traffic control tower or by the airport management and coordinated with the air traffic control service, the standards of paragraph (a) of this section apply to traverse ways used or to be used for the passage of mobile objects only after the heights of these traverse ways are increased by:

(1) 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance.

(2) 15 feet for any other public roadway.

(3) 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.

(4) 23 feet for a railroad.

(5) For a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it.

**77.19 Civil airport imaginary surfaces.**

The following civil airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach procedure existing or planned for that runway end.

(a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by Swinging arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

(1) 5,000 feet for all runways designated as utility or visual;

(2) 10,000 feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting two adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.

(b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

(c) Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is:

(1) 250 feet for utility runways having only visual approaches.

(2) 500 feet for utility runways having non-precision instrument approaches.

(3) For other than utility runways, the width is:

(i) 500 feet for visual runways having only visual approaches.

(ii) 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths statue mile.

(iii) 1,000 feet for a non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-fourths of a statute mile, and for precision instrument runways.

(iv) The width of the primary surface of a runway will be that width prescribed in this section for the most precise approach existing or planned for either end of that runway.

(d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

(1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:

(i) 1,250 feet for that end of a utility runway with only visual approaches;

(ii) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;

(iii) 2,000 feet for that end of a utility runway with a non-precision instrument approach;

(iv) 3,500 feet for that end of a non-precision instrument runway other than utility, having visibility minimums greater that three-fourths of a statute mile;

(v) 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile; and

(vi) 16,000 feet for precision instrument runways.

(2) The approach surface extends for a horizontal distance of:

(i) 5,000 feet at a slope of 20 to 1 for all utility and visual runways;

(ii) 10,000 feet at a slope of 34 to 1 for all non-precision instrument runways other than utility; and

(iii) 10,000 feet at a slope of 50 to 1 with an additional 40,000 feet at a slope of 40 to 1 for all precision instrument runways.

(3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

(e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

**77.21 Department of Defense (DOD) airport imaginary surfaces.**

(a) Related to airport reference points. These surfaces apply to all military airports. For the purposes of this section, a military airport is any airport operated by the DOD.

(1) Inner horizontal surface. A plane that is oval in shape at a height of 150 feet above the established airfield elevation. The plane is constructed by scribing an arc with a radius of 7,500 feet about the centerline at the end of each runway and interconnecting these arcs with tangents.

(2) Conical surface. A surface extending from the periphery of the inner horizontal surface outward and upward at a slope of 20 to 1 for a horizontal distance of 7,000 feet to a height of 500 feet above the established airfield elevation.

(3) Outer horizontal surface. A plane, located 500 feet above the established airfield elevation, extending outward from the outer periphery of the conical surface for a horizontal distance of 30,000 feet.

(b) Related to runways. These surfaces apply to all military airports.

(1) Primary surface. A surface located on the ground or water longitudinally centered on each runway with the same length as the runway. The width of the primary surface for runways is 2,000 feet. However, at established bases where substantial construction has taken place in accordance with a previous lateral clearance criteria, the 2,000-foot width may be reduced to the former criteria.

(2) Clear zone surface. A surface located on the ground or water at each end of the primary surface, with a length of 1,000 feet and the same width as the primary surface.

(3) Approach clearance surface. An inclined plane, symmetrical about the runway centerline extended, beginning 200 feet beyond each end of the primary surface at the centerline elevation of the runway end and extending for 50,000 feet. The slope of the approach clearance surface is 50 to 1 along the runway centerline extended until it reaches an elevation of 500 feet above the established airport elevation. It then continues horizontally at this elevation to a point 50,000 feet from the point of beginning. The width of this surface at the runway end is the same as the primary surface, it flares uniformly, and the width at 50,000 is 16,000 feet.

(4) Transitional surfaces. These surfaces connect the primary surfaces, the first 200 feet of the clear zone surfaces, and the approach clearance surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces. The slope of the transitional surface is 7 to 1 outward and upward at right angles to the runway centerline.

### 77.23 Heliport imaginary surfaces.

(a) Primary surface. The area of the primary surface coincides in size and shape with the designated take-off and landing area. This surface is a horizontal plane at the elevation of the established heliport elevation.

(b) Approach surface. The approach surface begins at each end of the heliport primary surface with the same width as the primary surface, and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is 8 to 1 for civil heliports and 10 to 1 for military heliports.

(c) Transitional surfaces. These surfaces extend outward and upward from the lateral boundaries of the primary surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.

## Subpart D
## *Aeronautical Studies and Determinations*

### 77.25 Applicability.

(a) This subpart applies to any aeronautical study of a proposed construction or alteration for which notice to the FAA is required under 77.9.

(b) The purpose of an aeronautical study is to determine whether the aeronautical effects of the specific proposal and, where appropriate, the cumulative impact resulting from the proposed construction or alteration when combined with the effects of other existing or proposed structures, would constitute a hazard to air navigation.

(c) The obstruction standards in subpart C of this part are supplemented by other manuals and directives used in determining the effect on the navigable airspace of a proposed construction or alteration. When the FAA needs additional information, it may circulate a study to interested parties for comment.

**77.27 Initiation of studies.**

The FAA will conduct an aeronautical study when:

(a) Requested by the sponsor of any proposed construction or alteration for which a notice is submitted; or

(b) The FAA determines a study is necessary.

**77.29 Evaluating aeronautical effect.**

(a) The FAA conducts an aeronautical study to determine the impact of a proposed structure, an existing structure that has not yet been studied by the FAA, or an alteration of an existing structure on aeronautical operations, procedures, and the safety of flight. These studies include evaluating:

(1) The impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules;

(2) The impact on arrival, departure, and en route procedures for aircraft operating under instrument flight rules;

(3) The impact on existing and planned public use airports;

(4) Airport traffic capacity of existing public use airports and public use airport development plans received before the issuance of the final determination;

(5) Minimum obstacle clearance altitudes, minimum instrument flight rules altitudes, approved or planned instrument approach procedures, and departure procedures;

(6) The potential effect on ATC radar, direction finders, ATC tower line-of-sight visibility, and physical or electromagnetic effects on air navigation, communication facilities, and other surveillance systems;

(7) The aeronautical effects resulting from the cumulative impact of a proposed construction or alteration of a structure when combined with the effects of other existing or proposed structures.

(b) If you withdraw the proposed construction or alteration or revise it so that it is no longer identified as an obstruction, or if no further aeronautical study is necessary, the FAA may terminate the study.

**77.31 Determinations.**

(a) The FAA will issue a determination stating whether the proposed construction or alteration would be a hazard to air navigation, and will advise all known interested persons.

(b) The FAA will make determinations based on the aeronautical study findings and will identify the following:

(1) The effects on VFR/IFR aeronautical departure/arrival operations, air traffic procedures, minimum flight altitudes, and existing, planned, or proposed airports listed in §77.15(e) of which the FAA has received actual notice prior to issuance of a final determination.

(2) The extent of the physical and/or electromagnetic effect on the operation of existing or proposed air navigation facilities, communication aids, or surveillance systems.

(c) The FAA will issue a Determination of Hazard to Air Navigation when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard and would have a substantial aeronautical impact.

(d) A Determination of No Hazard to Air Navigation will be issued when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard but would not have a substantial aeronautical impact to air navigation. A Determination of No Hazard to Air Navigation may include the following:

(1) Conditional provisions of a determination.

(2) Limitations necessary to minimize potential problems, such as the use of temporary construction equipment.

(3) Supplemental notice requirements, when required.

(4) Marking and lighting recommendations, as appropriate.

(e) The FAA will issue a Determination of No Hazard to Air Navigation when a proposed structure does not exceed any of the obstruction standards and would not be a hazard to air navigation.

**77.33 Effective period of determinations.**

(a) A determination issued under this subpart is effective 40 days after the date of issuance, unless a petition for discretionary review is received by the FAA within 30 days after issuance. The determination will not become final pending disposition of a petition for discretionary review.

(b) Unless extended, revised, or terminated, each Determination of No Hazard to Air Navigation issued under this subpart expires 18 months after the effective date of the determination, or on the date the proposed construction or alteration is abandoned, whichever is earlier.

(c) A Determination of Hazard to Air Navigation has no expiration date.

**77.35 Extensions, terminations, revisions and corrections.**

(a) You may petition the FAA official that issued the Determination of No Hazard to Air Navigation to revise or reconsider the determination based on new facts or to extend the effective period of the determination, provided that:

(1) Actual structural work of the proposed construction or alteration, such as the laying of a foundation, but not including excavation, has not been started; and

(2) The petition is submitted at least 15 days before the expiration date of the Determination of No Hazard to Air Navigation.

(b) A Determination of No Hazard to Air Navigation issued for those construction or alteration proposals not requiring an FCC construction permit may be extended by the FAA one time for a period not to exceed 18 months.

(c) A Determination of No Hazard to Air Navigation issued for a proposal requiring an FCC construction permit may be granted extensions for up to 18 months, provided that:

(1) You submit evidence that an application for a construction permit/license was filed with the FCC for the associated site within 6 months of issuance of the determination; and

(2) You submit evidence that additional time is warranted because of FCC requirements; and

(3) Where the FCC issues a construction permit, a final Determination of No Hazard to Air Navigation is effective until the date prescribed by the FCC for completion of the construction. If an extension of the original FCC completion date is needed, an extension of the FAA determination must be requested from the Obstruction Evaluation Service (OES).

(4) If the Commission refuses to issue a construction permit, the final determination expires on the date of its refusal.

## Subpart E
## *Petitions for Discretionary Review*

### 77.37 General.

(a) If you are the sponsor, provided a substantive aeronautical comment on a proposal in an aeronautical study, or have a substantive aeronautical comment on the proposal but were not given an opportunity to state it, you may petition the FAA for a discretionary review of a determination, revision, or extension of a determination issued by the FAA.

(b) You may not file a petition for discretionary review for a Determination of No Hazard that is issued for a temporary structure, marking and lighting recommendation, or when a proposed structure or alteration does not exceed obstruction standards contained in subpart C of this part.

### 77.39 Contents of a petition.

(a) You must file a petition for discretionary review in writing and it must be received by the FAA within 30 days after the issuance of a determination under 77.31, or a revision or extension of the determination under 77.35.

(b) The petition must contain a full statement of the aeronautical basis on which the petition is made, and must include new information or facts not previously considered or presented during the aeronautical study, including valid aeronautical reasons why the determination, revisions, or extension made by the FAA should be reviewed.

(c) In the event that the last day of the 30-day filing period falls on a weekend or a day the Federal government is closed, the last day of the filing period is the next day that the government is open.

(d) The FAA will inform the petitioner or sponsor (if other than the petitioner) and the FCC (whenever an FCC-related proposal is involved) of the filing of the petition and that the determination is not final pending disposition of the petition.

**77.41 Discretionary review results.**

(a) If discretionary review is granted, the FAA will inform the petitioner and the sponsor (if other than the petitioner) of the issues to be studied and reviewed. The review may include a request for comments and a review of all records from the initial aeronautical study.

(b) If discretionary review is denied, the FAA will notify the petitioner and the sponsor (if other than the petitioner), and the FCC, whenever a FCC-related proposal is involved, of the basis for the denial along with a statement that the determination is final.

(c) After concluding the discretionary review process, the FAA will revise, affirm, or reverse the determination.

# APPENDIX C

# GLOSSARY OF TERMS

Appendix L

# Glossary of Terms

**Accident Potential Zone (APZ):** Areas based on hi storical accident and operations data throughout the military and the application of margins of safety within those areas if an accident were to occur. The three types of Accident Potential Zones are:

- **Runway Protection Zone-** The trapezoidal area lying immediately beyond the end of the runway and outward along the extended runway centerline for a distance of 3,000 feet.

- **APZ I-** The rectangular area beyond the Clear Zone, APZ One is typically 3,000 feet wide by 5,000 feet long and may be rectangular or curved to conform to the predominant flight track.

- **APZ II-** The rectangular area beyond APZ I, typically 3,000 feet wide by 7,000 feet long, and like APZ I, may be curved to correspond to the predominant flight track.

**Air Carriers:** The commercial system of air transportation, consisting of the certificated air carriers, air taxis (including commuters), supplemental air carriers, commercial operators of large aircraft, and air travel clubs.

**Air Installation Compatible Use Zone (AICUZ):** A land use compatibility plan prepared by the U.S. Department of Defense for military airfields. AICUZ plans serve as recommendations to local government bodies having jurisdiction over land uses surrounding these facilities.

**Aircraft Accident:** An occurrence incident to flight in which, as a result of the operation of an air craft, a person (occupant or non-occupant) receives fatal or serious injury or an aircraft receives substantial damage.

- Except as provided below, *substantial damage* means damage or structural failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component.

- Engine failure, damage limited to an engine, bent fairings or cowling, dented skin, small puncture holes in the skin or fabric, ground damage to rotor or propeller blades, damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips are not considered substantial damage.

**Aircraft Incident:** A mishap associated with the operation of an aircraft in which neither fatal nor serious injuries nor substantial damage to the aircraft occurs.

**Aircraft Mishap:** The collective term for an aircraft accident or an incident.

**Aircraft Operation:** The airborne movement of aircraft at an airport or about an en route fix or at other point where counts can be made. There are two types of operations: local and itinerant. An operation is counted for each landing and each departure, such that a touch-and-go flight is counted as two operations. (FAA Stats)

**Airport:** An area of land or water that is used or intended to be used for the landing and taking off of aircraft, and includes its buildings and facilities, if any. (FAR 1)

**Airport Compatibility Zones:** Areas on and near an airport in which land use and development restrictions are established to protect the safety of the public and include the Runway Protection Zone, Inner Approach/Departure Zone, Inner Turning Zone, Outer Approach/Departure Zone, Sideline Zone, and the Traffic Pattern Zone.

**Airport Elevation:** The highest point of an airport's usable runways, measured in feet above mean sea level. (AIM)

**Airport Influence Area:** An Airport Influence Area (AIA) is the area or areas in which current or future airport-related noise, over flight, safety, and/or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses. The ALUC establishes its jurisdictional authority by designating one or more AIA(s). If the ALUC has not designated an AIA, PUC Section 21675.1(b) states that land within two miles of a public airport must be used instead.

**Airport Land Use Commission (ALUC):** A commission authorized under the provisions of California Public Utilities Code, Sections 21670 et seq. and established (in any county within which a public-use airport is located) for the purpose of promoting compatibility between airports and the land uses surrounding them.

**Airport Land Use Compatibility Plan (ALUCP):** A planning document that contains policies for promoting safety and compatibility between public use airports and the communities that surround them. The ALUCP is the foundation of the airport land use compatibility planning process. The ALUCP is adopted by the ALUC (or the body acting in that capacity per PUC Section 21670.1), and is based on a current Airport Master Plan (AMP) or Airport Layout Plan (ALP).

**Airport Layout Plan (ALP):** A scaled drawing of existing and proposed airport facilities including airport property lines and the information required to demonstrate conformance with applicable FAA regulations. A current FAA-approved ALP is required for NPIAS airports that receive Federal assistance. ALPs remain current for a five-year period or until major changes are made or are planned to be made at the airport. The ALP is one of the components of an Airport Master Plan (AMP).

**Airport Master Plan (AMP):** An airport master plan is an airport-sponsored, comprehensive planning study that usually describes existing conditions as well as interim and long-term development plans for the airport that will enable it to meet future aviation demand. An AMP contains an FAA-approved activity forecast and an Airport Layout Plan (ALP).

**Airport Reference Code (ARC):** A coding system used to relate airport design criteria to the operational and physical characteristics of the airplanes intended to operate at an airport. (Airport Design AC)

**Airports, Classes of:** For the purposes of issuing a Site Approval Permit, the California Department of Transportation, Division of Aeronautics classifies airports into the following categories. (CCR)

- *Agricultural Airport or Heliport:* An airport restricted to use only by agricultural aerial applicator aircraft (FAR Part 137 operators).

- *Emergency Medical Services (EMS) Landing Site:* A site used for the landing and taking off of EMS helicopters that is located at or as near as practical to a medical emergency or at or near a medical facility and

  (1) has been designated an EMS landing site by an officer authorized by a public safety agency, as defined in PUC Section 21662.1, using criteria that the public safety agency has determined is reasonable and prudent for the safe operation of EMS helicopters and

  (2) is used, over any twelve month period, for no more than an average of six landings per month with a patient or patients on the helicopter, except to allow for adequate medical response to a mass casualty event even if that response causes the site to be used beyond these limits, and

  (3) is not marked as a permitted heliport as described in Section 3554 of these regulations and

  (4) is used only for emergency medical purposes.

- *Heliport on Offshore Oil Platform:* A heliport located on a structure in the ocean, not connected to the shore by pier, bridge, wharf, dock, or breakwater, used in the support of petroleum exploration or production.

- *Personal-Use Airport:* An airport limited to the non-commercial use of an individual owner or family and occasional invited guests.

- *Public-Use Airport:* An airport that is open for aircraft operations to the general public and is listed in the current edition of the *Airport/Facility Directory* that is published by the National Ocean Service of the U.S. Department of Commerce.

*Seaplane Landing Site:* An area of water used, or intended for use, for landing and takeoff of seaplanes.

- *Special-Use Airport or Heliport:* An airport not open to the general public, access to which is controlled by the owner in support of commercial activities, public service operations, and/or personal use.

- *Temporary Helicopter Landing Site:* A site, other than an emergency medical service landing site at or near a medical facility, which is used for landing and taking off of helicopters and

(1) is used or intended to be used for less than one year, except for recurrent annual events, and

(2) is not marked or lighted to be distinguishable as a heliport and

(3) is not used exclusively for helicopter operations.

**Ambient Noise Level:** The level of noise that is all-encompassing within a given environment for which a single source cannot be determined. It is usually a composite of sounds from many and varied sources near to and far from the receiver.

**Approach Protection Easement:** A form of easement which both conveys all of the rights of an avigation easement and sets specified limitations on the type of land uses allowed to be developed on the property.

**Approach Speed:** The recommended speed contained in aircraft manuals used by pilots when making an approach to landing. This speed will vary for different segments of an approach as well as for aircraft weight and configuration. (AIM)

**Aviation-Related Use:** Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, and their associated protected areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations facilities, terminal buildings, etc.

**Avigation Easement:** A type of easement which typically conveys the following rights:

- A right-of-way for free and unobstructed passage of aircraft through the airspace over the property at any altitude above a surface specified in the easement (usually set in accordance with FAR Part 77 criteria).
- A right to subject the property to noise, vibrations, fumes, dust, and fuel particle emissions associated with normal airport activity.
- A right to prohibit the erection or growth of any structure, tree, or other object that would enter the acquired airspace.
- A right-of-entry onto the property, with proper advance notice, for the purpose of removing, marking, or lighting any structure or other object that enters the acquired airspace.
- A right to prohibit electrical interference, glare, misleading lights, visual impairments, and other hazards to aircraft flight from being created on the property.

**Based Aircraft:** Aircraft stationed at an airport on a long-term basis.

**California Environmental Quality Act (CEQA):** Statutes adopted by the state legislature for the purpose of maintaining a quality environment for the people of the state now and in the future. The Act establishes a process for state and local agency review of projects, as defined in the implementing guidelines, which may adversely affect the environment.

**Ceiling:** Height above the earth's surface to the lowest layer of clouds or obscuring phenomena. (AIM)

**Circling Approach/Circle-to-Land Maneuver:** A maneuver initiated by the pilot to align the aircraft with a runway for landing when a straight-in landing from an instrument approach is not possible or not desirable. (AIM)

**Combining District:** A zoning district which establishes development standards in areas of special concern over and above the standards applicable to basic underlying zoning districts.

**Commercial Activities:** Airport-related activities which may offer a facility, service or commodity for sale, hire or profit. Examples of commodities for sale are: food, lodging, entertainment, real estate, petroleum products, parts and equipment. Examples of services are: flight training, charter flights, maintenance, aircraft storage, and tie-down. (CCR)

**Commercial Operator:** A person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier. (FAR 1)

**Commercial Service Airports:** Public airports receiving scheduled passenger service and having 2,500 or more enplaned passengers per year. Commercial service airports are further broken down into Primary and Non-Primary Airports.

**Community Noise Equivalent Level (CNEL):** The noise metric adopted by the State of California for evaluating airport noise. It represents the average daytime noise level during a 24-hour day, adjusted to an equivalent level to account for the lower tolerance of people to noise during evening and nighttime periods relative to the daytime period. (State Airport Noise Standards)

**Compatibility Plan:** As used herein, a plan, usually adopted by an Airport Land Use Commission, which sets forth policies for promoting compatibility between airports and the land uses which surround them. **Controlled Airspace:** Any of several types of airspace within which some or all aircraft may be subject to air traffic control. (FAR 1)

**Day-Night Average Sound Level (DNL):** The noise metric adopted by the U.S. Environmental Protection Agency for measurement of environmental noise. It represents the average daytime noise level during a 24-hour day, measured in decibels and adjusted to account for the lower tolerance of people to noise during nighttime periods. The mathematical symbol is Ldn.

**Decibel (dB):** A unit measuring the magnitude of a sound, equal to the logarithm of the ratio of the intensity of the sound to the intensity of an arbitrarily chosen standard sound, specifically a sound just barely audible to an unimpaired human ear. For environmental noise from aircraft and other transportation sources, an *A-weighted sound level* (abbreviated dBA) is normally used. The A-weighting scale adjusts the values of different sound frequencies to approximate the auditory sensitivity of the human ear.

**Deed Notice:** A formal statement added to the legal description of a deed to a property and on any subdivision map. As used in airport land use planning, a deed notice would state that the property is subject to aircraft overflights. Deed notices are used as a form of buyer notification as a means of ensuring that those who are particularly sensitive to aircraft overflights can avoid moving to the affected areas.

**Departure Surface for Instrument Runways:** Applied to runways with an instrument approach, this surface has a slope of 40:1 starting from the departure end of the runway with dimensions of 1,000 foot inner width, 6,466 foot outer width, and 10,200 foot length.

**Designated Body:** A local government entity, such as a regional planning agency or a county planning commission, chosen by the county board of supervisors and the selection committee of city mayors to act in the capacity of an airport land use commission.

**Displaced Threshold:** A landing threshold that is located at a point on the runway other than the designated beginning of the runway (see *Threshold*). (AIM)

**Easement:** A less-than-fee-title transfer of real property rights from the property owner to the holder of the easement.

**Equivalent Sound Level (Leq):** The level of constant sound which, in the given situation and time period, has the same average sound energy as does a time-varying sound.

**FAR Part 77:** The part of the Federal Aviation Regulations which deals with objects affecting navigable airspace.

**FAR Part 121 Operations:** Operating requirements for Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft.

**FAR Part 135 Operations:** Operating requirements for Commuter, and On Demand Operations and rules governing persons on board such aircraft.

**FAR Part 150 Study:** A study that determines the amount of noise impact an airport generates from its operations with the purpose of reducing noise impacts on existing incompatible land use and to prevent the introduction of new incompatible land uses in the areas impacted by aircraft noise.

**FAR Part 77 Surfaces:** Imaginary airspace surfaces established with relation to each runway of an airport. There are five types of surfaces: (1) primary; (2) approach; (3) transitional; (4) horizontal; and (5) conical.

**Federal Aviation Administration (FAA):** The U.S. government agency which is responsible for ensuring the safe and efficient use of the nation's airports and airspace.

**Federal Aviation Regulations (FAR):** Regulations formally issued by the FAA to regulate air commerce.

**Findings:** Legally relevant sub conclusions which expose a government agency's mode of analysis of facts, regulations, and policies, and which bridge the analytical gap between raw data and ultimate decision.

**Fixed Base Operator (FBO):** A business which operates at an airport and provides aircraft services to the general public including, but not limited to, sale of fuel and oil; aircraft sales, rental, maintenance, and repair; parking and tie-down or storage of aircraft; flight training; air taxi/charter operations; and specialty services, such as instrument and avionics maintenance, painting, overhaul, aerial application, aerial photography, aerial hoists, or pipeline patrol.

**Fleet Mix:** The composition of aircraft that operate at a particular airport.

**Flight Tracks:** Routes aircraft routinely use when arriving and departing from an airport.

**Forecasts:** A projection of the amount and type of aircraft operations at an airport.

**General Aviation:** That portion of civil aviation which encompasses all facets of aviation except air carriers. (FAA Stats)

**General Aviation Airport:** Airports that do not receive scheduled commercial service, or do not meet the criteria for classification as a commercial service airport. General aviation airports have at least 10 locally based aircraft, are at least twenty miles from the nearest NPIAS airports

**General Plan:** A statement of policies, including text and diagrams, setting forth objectives, principles, standards, and plan proposals, for the future physical development of a city or county.

**Glide Slope:** An electronic signal radiated by a component of an ILS to provide vertical guidance for aircraft during approach and landing.

**Global Positioning System (GPS):** A navigational system which utilizes a network of satellites to determine a positional fix almost anywhere on or above the earth. Developed and operated by the U.S. Department of Defense, GPS has been made available to the civilian sector for surface, marine, and aerial navigational use. For aviation purposes, the current form of GPS guidance provides en route aerial navigation and selected types of non-precision instrument approaches. Eventual application of GPS as the principal system of navigational guidance throughout the world is anticipated.

**Helipad:** A small, designated area, usually with a prepared surface, on a heliport, airport, landing/ takeoff area, apron/ramp, or movement area used for takeoff, landing, or parking of helicopters. (AIM)

**Heliport:** A facility used for operating, basing, housing, and maintaining helicopters. (HAI)

**Infill:** Development which takes place on v acant property largely surrounded by existing development, especially development which is similar in character.

**Inner Approach/Departure Zone:** A rectangular area extending beyond the RPZ. If the RPZ widths approximately equal the runway widths, the Inner Approach/Departure Zoned extends along the sides of the RPZ from the end of the runway.

**Inner Turning Zone:** A triangular area over which aircraft are turning from the base to final approach legs of the standard traffic pattern. It also includes the area where

departing aircraft normally complete the transition from takeoff to climb mode and begin to turn on their en route headings.

**Instrument Approach Procedure:** A series of predetermined maneuvers for the orderly transfer of an aircraft under instrument flight conditions from the beginning of the initial approach to a landing or to a point from which a landing may be made visually. It is prescribed and approved for a specific airport by competent authority (refer to *Nonprecision Approach Procedure* and *Precision Approach Procedure*). (AIM)

**Instrument Flight Rules (IFR):** Rules governing the procedures for conducting instrument flight. Generally, IFR applies when meteorological conditions with a ceiling below 1,000 feet and visibility less than 3 miles prevail. (AIM)

**Instrument Landing System (ILS):** A precision instrument approach system which normally consists of the following electronic components and visual aids: (1) Localizer; (2) Glide Slope; (3) Outer Marker; (4) Middle Marker; (5) Approach Lights. (AIM)

**Instrument Operation:** An aircraft operation in accordance with an IFR flight plan or an operation where IFR separation between aircraft is provided by a terminal control facility. (FAA ATA)

**Instrument Runway:** A runway equipped with electronic and visual navigation aids for which a precision or non-precision approach procedure having straight-in landing minimums has been approved. (AIM)

**Intercounty Airport:** An airport where a county line bisects a runway or any various safety compatibility zones.

**Inverse Condemnation:** An action brought by a property owner seeking just compensation for land taken for a public use against a government or private entity having the power of eminent domain. It is a remedy peculiar to the property owner and is exercisable by that party where it appears that the taker of the property does not intend to bring eminent domain proceedings.

**Land Use Density:** Land use density is a measure of the concentration of residential development in a given area. It is typically expressed as the number of dwelling units per acre using a net acreage calculation.

**Land Use Intensity:** Land Use Intensity is a measure of the concentration of nonresidential development in a given area. Intensity can be expressed as number of people per acre using a net acreage calculation.

**Land Use Map:** A map showing land-use classifications as well as other important surface features such as roads, rail lines, waterways, and jurisdictional boundaries. Land Use Maps may show either existing or proposed land uses.

**Large Airplane:** An airplane of more than 12,500 pounds maximum certificated takeoff weight. (Airport Design AC)

**Localizer (LOC):** The component of an ILS which provides course guidance to the runway. (AIM)

**Minimum Descent Altitude (MDA):** The lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circle-to-land maneuvering in execution of a standard instrument approach procedure where no electronic glide slope is provided. (FAR 1)

**Missed Approach:** A maneuver conducted by a pilot when an instrument approach cannot be completed to a landing. (AIM)

**National Transportation Safety Board (NTSB):** The U.S. government agency responsible for investigating transportation accidents and incidents.

**Navigational Aid (Navaid):** Any visual or electronic device airborne or on the surface which provides point-to point guidance information or position data to aircraft in flight. (AIM)

**Noise Contours:** Continuous lines of equal noise level usually drawn around a noise source, such as an airport or highway. The lines are generally drawn in 5-decibel increments so that they resemble elevation contours in topographic maps.

**Noise Level Reduction (NLR):** A measure used to describe the reduction in sound level from environmental noise sources occurring between the outside and the inside of a structure.

**Nonconforming Use:** An existing land use which does not conform to subsequently adopted or amended zoning or other land use development standards.

**Non-precision Approach Procedure:** A standard instrument approach procedure in which no electronic glide slope is provided. (FAR 1)

**Non-precision Instrument Runway:** A runway with an approved or planned straight-in instrument approach procedure which has no existing or planned precision instrument approach procedure. (Airport Design AC)

**Obstruction:** Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used therein, the height of which exceeds the standards established in

Subpart C of Federal Aviation Regulations Part 77, *Objects Affecting Navigable Airspace*.

**One-Engine Inoperative (OEI) Obstacle Identification Surface:** For airports with runways that support air carrier operations, this surface begins at the same elevation of the end of the departure runway and slopes upward at 1 foot vertically to 62.5 feet horizontally. The inner width of the OEI surface is 600 feet while the outer width is 12,000 feet. The surface extends for a distance of 50,000 feet along the runway centerline.

**Outer Approach/Departure Zone:** A rectangular area located along the extended centerline beyond the Inner Approach/Departure Zone.

**Overflight:** Any distinctly visible and audible passage of an aircraft in flight, not necessarily directly overhead.

**Overflight Easement:** An easement which describes the right to overfly the property above a specified surface and includes the right to subject the property to noise, vibrations, fumes, and emissions. An overflight easement is used primarily as a form of buyer notification.

**Overflight Zone:** The area(s) where aircraft maneuver to enter or leave the traffic pattern, typically defined by the FAR Part 77 horizontal surface.

**Overlay Zone:** See *Combining District*.

**Precision Approach Procedure:** A standard instrument approach procedure where an electronic glide slope is provided. (FAR 1)

**Precision Instrument Runway:** A runway with an existing or planned precision instrument approach procedure. (Airport Design AC)

**Referral Area:** The area around an airport defined by the planning area boundary adopted by an airport land use commission within which certain land use proposals are to be referred to the commission for review.

**Runway Capacity:** The number of landings and take-offs, or a combination of both, that can be accommodated without undue delays to aircraft with the minimal approach spacing published for IFR (instrument flight rules) and VFR (visual flight rules).

**Runway Protection Zone (RPZ):** An area (formerly called a *clear zone*) off the end of a runway used to enhance the protection of people and property on the ground. (Airport Design AC)

**Safety Zone:** For the purpose of airport land use planning, an area near an airport in which land use restrictions are established to protect the safety of the public from potential aircraft accidents.

**Sideline Zone:** A rectangular area in close proximity and parallel to the runway.

**Single-Event Noise:** As used in herein, the noise from an individual aircraft operation or overflight.

**Single Event Noise Exposure Level (SENEL):** A measure, in decibels, of the noise exposure level of a single event, such as an aircraft flyby, measured over the time interval between the initial and final times for which the noise level of the event exceeds a threshold noise level and normalized to a reference duration of one second. SENEL is a noise metric established for use in California by the state Airport Noise Standards and is essentially identical to *Sound Exposure Level (SEL)*.

**Site Approval Permit:** A written approval issued by the California Department of Transportation authorizing construction of an airport in accordance with approved plans, specifications, and conditions. Both public use and special-use airports require a site approval permit. (CCR)

**Small Airplane:** An airplane of 12,500 pounds or less maximum certificated takeoff weight. (Airport Design AC)

**Sound Exposure Level (SEL):** A time-integrated metric (i.e., continuously summed over a time period) which quantifies the total energy in the A-weighted sound level measured during a transient noise event. The time period for this measurement is generally taken to be that between the moments when the A-weighted sound level is 10 dB below the maximum.

**Straight-In Instrument Approach:** An instrument approach wherein a final approach is begun without first having executed a procedure turn; it is not necessarily completed with a straight-in landing or made to straight-in landing weather minimums. (AIM)

**Taking:** Government appropriation of private land for which compensation must be paid as required by the Fifth Amendment of the U.S. Constitution. It is not essential that there be physical seizure or appropriation for a *taking* to occur, only that the government action directly interferes with or substantially disturbs the owner's right to use and enjoyment of the property.

**Terminal Instrument Procedures (TERPS):** Procedures for instrument approach and departure of aircraft to and from civil and military airports. There are four types of terminal instrument procedures: precision approach, non-precision approach, circling, and departure.

**Threshold:** The beginning of that portion of the runway usable for landing (also see *Displaced Threshold*). (AIM)

**Touch-and-Go:** An operation by an aircraft that lands and departs on a runway without stopping or exiting the runway. (AIM)

**Traffic Pattern:** The traffic flow that is prescribed for aircraft landing at, taxiing on, or taking off from an airport. The components of a typical traffic pattern are upwind leg, crosswind leg, downwind leg, base leg, and final approach. (AIM)

**Traffic Pattern Zone:** An elliptical area that includes the majority of other portions of regular air traffic patterns and pattern entry routes, and generally extends to the farthest point of 6,000 foot radius arcs from the centers of each of the primary surfaces and connecting lines tangent to those arcs.

**Visual Approach:** An approach where the pilot must use visual reference to the runway for landing under VFR conditions.

**Visual Flight Rules (VFR):** Rules that govern the procedures for conducting flight under visual conditions. VFR applies when meteorological conditions are equal to or greater than the specified minimum-generally, a 1,000-foot ceiling and 3-mile visibility.

**Visual Runway:** A runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan. (Airport Design AC)

**Zoning:** A police power measure, enacted primarily by units of local government, in which the community is divided into districts or zones within which permitted and special uses are established, as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to

district, but they must be uniform within districts. A zoning ordinance consists of two parts: the text and a map.

**Glossary Sources**

**FAR 1:** *Federal Aviation Regulations Part 1, Definitions and Abbreviations*

**AIM:** *Aeronautical Information Manual*

**Airport Design AC:** Federal Aviation Administration, *Airport Design* Advisory Circular 150/5300-13

**CCR:** California Code of Regulations, Title 21, Section 3525 et. seq. *Division of Aeronautics*

**FAA ATA:** Federal Aviation Administration, *Air Traffic Activity*

**FAA Stats:** Federal Aviation Administration, *Statistical Handbook of Aviation*

**HAI:** Helicopter Association International

**NTSB:** National Transportation and Safety Board

# APPENDIX D

# METHODS FOR DETERMINING CONCENTRATIONS OF PEOPLE IN AIRPORT SAFETY ZONES

Appendix G

# Methods for Determining Concentrations of People

One criterion used in many compatibility plans is the maximum number of people per acre that can be present in a given area at any one time. If a proposed use exceeds the maximum density, it is considered inconsistent with compatibility planning policies. This appendix provides some guidance on how the people-per-acre determination can be made.

The most difficult part about making a people-per-acre determination is estimating the number of people likely to use a particular facility. There are several methods which can be utilized, depending upon the nature of the proposed use:

**Parking Ordinance**—The number of people who could be present in a given area can be calculated based upon the number of parking spaces required by the zoning ordinance. Some assumption regarding the number of people per vehicle needs to be developed to calculate the number of people on-site. The number of people per acre can then be calculated by dividing the number of people on-site by the size of the parcel in acres. This approach is appropriate where the use is expected to be dependent up on access by vehicles. Conversely, this approach may not be appropriate for more urban developments, including transit-oriented development, where fewer parking spaces are provided to discourage single occupancy vehicle trips. Depending upon the specific assumptions utilized, this methodology typically results in a number in the low end of the likely intensity for a given land use.

**Maximum Occupancy**—The California Building Code (CBC) can be used as a standard for determining the maximum occupancy of certain uses. The chart provided as Exhibit G1 indicates the required number of square feet per occupant. The number of people on the site can be calculated by dividing the total floor area of a proposed use by the minimum square feet per occupant requirement listed in the table. The maximum occupancy can then be divided by the size of the parcel in acres to determine the people per acre. Surveys of actual occupancy levels conducted by various agencies have indicated that many retail and office uses are generally occupied at no more than 50% of their maximum occupancy levels, even at the busiest times of day. Therefore, the number of people calculated for office and retail uses should usually be adjusted (50%) to reflect the actual occupancy levels before making the final people-per-acre determination. Even with this adjustment, the CBC-based methodology typically produces intensities at the high end of the likely range.

**Other Methodologies**—Some uses (such as theaters or churches) may be calculated based on the number of fixed seats. This is likely to produce a range between the two methods described above. Certain uses may require an estimate based upon a survey of similar uses. This approach is more difficult, but is appropriate for uses which, because of the nature of the use, cannot be reasonably estimated based upon parking or square footage.

Exhibit G1 provides standard floor are per occupant (in square feet) for a variety of spaces, while Exhibit G2 shows sample calculations.

**EXHIBIT G1: MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT**

| Function of Space | Floor area per occupant (sq. ft.) |
|---|---|
| Accessory storage areas, mechanical equipment room | 300 gross |
| Agricultural building | 300 gross |
| Aircraft hangars | 500 gross |
| Airport terminal | |
| Baggage claim | 20 gross |
| Baggage handling | 300 gross |
| Concourse | 100 gross |
| Waiting areas | 15 gross |
| Assembly | |
| Gaming floors (keno, slots, etc.) | 11 gross |
| Assembly with fixed seats | See Section 1004.7 |
| Assembly without fixed seats | |
| Concentrated (chairs only-not fixed) | 15 net |
| Standing space | 5 net |
| Unconcentrated (tables and chairs) | 7 net |
| Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas | 7 net |
| Business areas | 100 gross |
| Courtrooms-other than fixed seating areas | 40 net |
| Day care | 35 net |
| Dormitories | 50 gross |
| Educational | |
| Classroom area | 20 net |
| Shops and other vocational room areas | 50 net |
| Exercise rooms | 50 gross |
| H-5 Fabrication and manufacturing areas | 200 gross |
| Industrial areas | 100 gross |
| Institutional areas | |
| Inpatient treatment areas | 240 gross |
| Outpatient treatment areas | 100 gross |
| Sleeping areas | 120 gross |
| Kitchens, commercial | 200 gross |
| Laboratory | |
| Educational | 50 net |
| Laboratories, non-educational | 100 net |
| Laboratory suite | 200 gross |
| Library | |
| Reading rooms | 50 net |
| Stack area | 100 gross |
| Locker rooms | 50 gross |
| Mercantile | |
| Areas on other floors | 60 gross |
| Basement and grade floor areas | 30 gross |
| Storage, stock, shipping areas | 300 gross |
| Parking garages | 200 gross |
| Residential | 200 gross |
| Skating rinks, swimming pools | |
| Rink and pool | 50 gross |
| Decks | 15 gross |
| Stages and platforms | 15 net |
| Warehouses | 500 gross |

*Source: California Building Code (2007), Table 1004.1.1*

**EXHIBIT G2 : OCCUPANCY LEVELS—CALIFORNIA BUILDING CODE**

**Example 1**

*Proposed Development:* Two office buildings, each two stories and containing 20,000 square feet of floor area per building. Site size is 3.0 net acres. Counting a portion of the adjacent road, the gross areas of the site is 3.5± acres.

*A. Calculation Based on Parking Space Requirements*

For office uses, assume that a county or city parking ordinance requires 1 parking space for every 300 square feet of floor area. Data from traffic studies or other sources can be used to estimate the average vehicle occupancy. For the purposes of this example, the number of people on the property is assumed to equal 1.5 times the number of parking spaces.

The average usage intensity would therefore be calculated as follows:

1) 40,000 sq. ft. floor area x 1.0 parking space per 300 sq. ft. = 134 (rounded from 133.3)required parking spaces
2) 134 parking spaces x 1.5 people per space = 201 maximum people on site
3) 200 people / 3.5 acres gross site size = 57.4 people per acre average for the site

Assuming that occupancy of each building is relatively equal throughout, but that there is some separation between the buildings and outdoor uses are minimal, the usage intensity for a single acre would be estimated to be:

1) 20,000 sq. ft. bldg. / 2 stories = 10,000 sq. ft. bldg. footprint
2) 10,000 sq. ft. bldg. footprint / 43,560 sq. ft. per acre = 0.23 ace bldg. footprint
3) Building footprint < 1.0 acre; therefore maximum people in 1 acre = bldg. occupancy = 100 people per single acre

*B. Calculation Based on California Building Code*

Using the CBC as the basis for estimating building occupancy yields the following results for the above example:

1) 40,000 sq. ft. bldg. / 100 sq. ft. per occupant = 400 people max. bldg. occupancy
2) 400 max. bldg. occupancy x 50% adjustment = 200 people maximum on site
3) 200 people / 3.5 acres gross site size = 57 people per acre average for the site.

*Conclusions:* In this instance, both methodologies give the same results. For different uses and/or assumptions, the two methodologies are likely to produce different numbers. In most such cases, the CBC methodology will indicate a higher intensity.

**Example 2**

*Proposed Development:* Single-floor furniture store containing 24,000 square feet of floor area on a site of 1.7 net acres. Counting a portion of the adjacent road, the gross area of the site is 2.0 acres.

*A. Calculation Based on Parking Space Requirements*

For furniture stores, the county requires 1 parking space per 400 square feet of use area. Assuming 1.5 people per automobile, the average usage intensity would be:

1) 24,000 sq. ft. bldg. x 1.0 parking space per 400 sq. ft. = 60 required parking spaces
2) 60 parking spaces x 1.5 people per space = 90 people maximum on site
3) 90 people / 2.0 acres gross sire size = 45 people per acre average for the site

Again, assuming a relatively balanced occupancy throughout the building and that outdoor uses are minimal, the usage intensity for a single acre would be estimated to be:

1) 24,000 sq. ft. bldg. footprint / 43,560 sq. ft. per acre = 0.55 acre bldg. footprint
2) Building footprint < 1.0 acre; therefore maximum people in 1 acre = bldg. occupancy = 90 people per single acre

*B. Calculation Based on California Building Code*

For the purposes of the CBC-based methodology, the furniture store is assumed to consist of 50% retail sales floor (at 30 square feet per occupant) and 50% warehouse (at 500 square feet per occupant). Usage intensities would therefore be estimate as follows:

1) 12,000 sq. ft. retail floor area / 30 sq. ft. per occupant = 400 people max. occupancy in retail area
2) 12,000 sq. ft. warehouse floor area / 500 sq. ft. per occupant = 24 people max occupancy in warehouse area
3) Maximum occupancy under CBC assumptions = 400 + 24 = 424 people
4) Assuming typical peak occupancy is 50% of CBC numbers = 212 people maximum expected at any one time
5) 212 people / 1.26 acres gross site size = 168 people per acre average for the site

With respect to the single-acre intensity criteria, the entire building occupancy would again be within less than 1.0 acre, thus yielding the same intensity of 168 people per single acre.

*Conclusions:* In this instance, the two methods produce very different results. The occupancy estimate of 30 square feet per person is undoubtedly low for a furniture store even after the 50% adjustment. The 72 people-per-acre estimate using the parking requirement methodology is probably closer to be realistic. As part of the general plan consistency process, ALUCs and local jurisdictions should decide which method or combination of methods is to be used in reviewing development proposals.

# APPENDIX E

# TYPICAL AVIGATION EASEMENT

## EXHIBIT H1
## Typical Avigation Easement

This indenture made this_____day of _____, 20___, between_____herein after referred to as Grantor, and the [Insert County or City name], a political subdivision in the State of California, hereinafter referred to as Grantee.

The Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual and assignable easement over the following described parcel of land in which the Grantor holds a fee simple estate. The property which is subject to this easement is depicted as _____ on "Exhibit A" attached and is more particularly described as follows:

[Insert legal description of real property]

The easement applies to the Airspace above an imaginary plane over the real property. The plane is described as follows:

The imaginary plane above the hereinbefore described real property, as such plane is defined by Part 77 of the Federal Aviation Regulations, and consists of a plane [describe approach, transition, or horizontal surface]; the elevation of said plane being based upon the _____ Airport official runway end elevation of _____ feet Above Mean Sea Level (AMSL), as determined by [Insert name and Date of Survey or Airport Layout Plan that determines the elevation] the approximate dimensions of which said plane are described and shown on Exhibit A attached hereto and incorporated herein by reference.

The aforesaid easement and right-of-way includes, but is not limited to:

1. For the use and benefit of the public, the easement and continuing right to fly, or cause or permit the flight by any and all persons, or any aircraft, of any and all kinds now or hereafter known, in, through, across, or about any portion of the Airspace hereinabove described; and
2. The easement and right to cause or create, or permit or allow to be caused or created within all space above the existing surface of the hereinabove described real property and any and all Airspace laterally adjacent to said real property, such noise, vibration, currents and other effects of air, illumination, and fuel consumption as may be inherent in, or may arise or occur from or during the operation of aircraft of any and all kinds, now or hereafter known or used, for navigation of or flight in air; and
3. A continuing right to clear and keep clear from the Airspace any portions of buildings, structures, or improvements of any kinds, and of trees or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees, or other things which extend into or above said Airspace, and the right to cut to the ground level and remove, any trees which extend into or above the Airspace; and
4. The right to mark and light, or cause or require to be marked or lighted, as obstructions to air navigation, any and all buildings, structures, or other

improvements, and trees or other objects, which extend into or above the Airspace; and

5. The right of ingress to, passage within, and egress from the hereinabove described real property, for the purposes described in subparagraphs (3) and (4) above at reasonable times and after reasonable notice.

For and on behalf of itself, its successors and assigns, the Grantor hereby covenants with the [Insert County or City name], for the direct benefit of the real property constituting the _____ Airport hereinafter described, that neither the Grantor, nor its successors in interest or assigns will construct, install, erect, place or grow in or upon the hereinabove described real property, nor will they permit to allow, any building structure, improvement, tree or other object which extends into or above the Airspace, or which constitutes an obstruction to air navigation, or which obstructs or interferes with the use of the easement and rights-of-way herein granted.

The easements and rights-of-way herein granted shall be deemed both appurtenant to and for the direct benefit of that real property which constitutes the _____ Airport, in the [Insert County or City name], State of California; and shall further be deemed in gross, being conveyed to the Grantee for the benefit of the Grantee and any and all members of the general public who may use said easement or right-ofway, in landing at, taking off from or operating such aircraft in or about the _____ Airport, or in otherwise flying through said Airspace.

Grantor, together with its successors in interest and assigns, hereby waives its right to legal action against Grantee, its successors, or assigns for monetary damages or other redress due to impacts, as described in Paragraph (2) of the granted rights of easement, associated with aircraft operations in the air or on the ground at the airport, including future increases in the volume or changes in location of said operations. Furthermore, Grantor, its successors, and assigns shall have no duty to avoid or mitigate such damages through physical modification of airport facilities or establishment or modification of aircraft operational procedures or restrictions. However, this waiver shall not apply if the airport role or character of its usage (as identified in an adopted airport master plan, for example) changes in a fundamental manner which could not reasonably have been anticipated at the time of the granting of this easement and which results in a substantial increase in the impacts associated with aircraft operations. Also, this grant of easement shall not operate to deprive the Grantor, its successors or assigns, of any rights which may from time to time have against any air carrier or private operator for negligent or unlawful operation of aircraft.

These covenants and agreements run with the land and are binding upon the heirs, administrators, executors, successors and assigns of the Grantor, and, for the purpose of this instrument, the real property firstly hereinabove described is the servient tenement and said _____ Airport is the dominant tenement.

DATED: _____

STATE OF

COUNTY OF

On _____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, and _____ known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

_____

Notary Public

# APPENDIX F

# INITIAL STUDY AND NEGATIVE DECLARATION

5961 S. Mooney Blvd
Visalia, CA 93277
624-7000 Phone
730-2653 Fax

# RESOURCE MANAGEMENT AGENCY
# COUNTY OF TULARE AIRPORT LAND USE COMMISSION SUMMARY



| | | |
|---|---|---|
| **Project Number:** Tulare County Airport Land Use Plan Update | **Agenda Date:** | |
| **Applicant:** Tulare County | **Agenda Item Number:** | |
| **Agent:** Aries Consultants | **AGENDA ITEM TYPE** | |
| **Subject:** Airport Land Use Commission Public Hearing on the proposed adoption of the Tulare County Comprehensive Airport Land Use Plan Update (Countywide Update) and proposed Mitigated Negative Declaration. | Presentation | |
| | Consent Calendar | |
| | Unfinished Business | |
| | New Business | |
| | Public Hearing | X |
| | Continued Public Hearing | |
| **Exceptions:** None | Discussion | |
| **Waiver:** None | **ACTION REQUESTED** | |
| **Environmental Review:** Mitigated Negative Declaration | Resolution – Board of Supervisors | |
| **Motion(s):** Two Motions | Resolution – Airport Land Use Commission | X |
| **Contact Person:** Jason Garcia-LoBue, Planner III | Decision - Director | |

## RECOMMENDATIONS:

**That the Airport Land Use Commission:**

1. Hold a public hearing;
2. Adopt the Mitigated Negative Declaration and Mitigated Monitoring Plan for the project; and
3. Adopt the proposed Tulare County Comprehensive Airport Land Use Plan.

## PLANNING COMMISSION ALTERNATIVES:

**Alternative No. 1:** Approve subject to modifications as directed by the Airport Land Use Commission
**Alternative No. 2:** Reject the Mitigated Negative Declaration and deny the plan;
**Alternative No. 3:** Continue the matter to a date certain for response to comments; and
**Alternative No. 4:** Refer back to Staff for further study and report.

## PROJECT OVERVIEW:

Article 3.5 of the California Public Utilities Code (PUC) requires each county to create an airport land use commission and for each commission to prepare and adopt an airport land use plan for each public-use airport in the county. In accordance with this statutory mandate, the Tulare County Airport Land Use Commission (ALUC) has prepared the Comprehensive Airport Land Use Plan (CALUP) to serve the following public purposes:

- To protect the long term economic viability of public-use airports in Tulare County by ensuring compatible land uses in the vicinity of the each airport to the extent that lands in these vicinity areas are not already devoted to incompatible uses;

- To promote the safety and well being of the public by ensuring adoption of land use regulations which minimize exposure of persons to hazards associated with the operation of these airports including aircraft accidents and aircraft noise;

- To provide a set of policies and criteria to assist the ALUC in evaluating the compatibility and consistency of proposed local actions with respect to the CALUP; and

- To provide guidance to local agencies in presenting proposed local actions to the ALUC for review.

As part of the update process, the Draft CALUP Update and Mitigated Negative Declaration were circulated for review (see environmental summary below) and a public hearing notice was published. The purposes of the public hearing are to (1) receive a Staff presentation on the CALUP Update; (2) at the time set for public hearing, receive public comment; (3) close the public hearing; and (4) adopt the Mitigated Negative Declaration, Mitigated Monitoring Plan, and CALUP.

Following adoption of the CALUP, each affected jurisdiction is required to adjust their general plan and zoning ordinance to be consistent with the CALUP, or to take special steps to overrule the ALUC's actions. In accordance with Sections 21676 and 21676.5 of the PUC, an affected jurisdiction may "after a public hearing, propose to overrule the [Airport Land Use] commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of the article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the [Airport Land Use] commission and the division [of Aeronautics] a copy of the proposed decision and findings."

While the CALUP is not a specific element of a general plan, current statutes place heavy emphasis on the general plan and zoning ordinance as essential components of the airport compatibility planning process. Since the ALUC's role is advisory in nature, the policies represented in the CALUP establish the criteria and procedures by which local jurisdictions can continue to do compatibility planning on their own. The affected local jurisdictions may choose to apply more stringent policies through their general plans and zoning, including more restrictive land use densities.

## PROJECT SUMMARY/BACKGROUND:

A public-use airport is a publicly or privately owned airport that offers the use of its facilities to the public without prior notice, invitation, or clearance, and has been issued a California Airport Permit by the California Department of Transportation (Caltrans) Division of Aeronautics. There are seven airports in Tulare County that meet the "public use" criterion and their locations (see Attachment No. 2). These public-use airports include:

- Visalia Municipal Airport
- Porterville Municipal Airport
- Tulare Municipal Airport – Mefford Field
- Woodlake Municipal Airport

- Sequoia Field
- Exeter Airport (formerly Thunderhawk Field)
- Eckert Field

Two airports included in the previous edition of the CALUP, specifically Alta Airport and Harmon Field, have been permanently closed and have been removed from the draft plan.

California state law -- through Section 21675(a) of the PUC -- requires that an airport land use plan be based on adopted airport master plans or Caltrans approved alternatives. This and other information unique to each airport is documented in Section 5.

Although the Tulare County CALUP was last amended in November 2008, the changes made at that time were applicable to only one airport. In the period since 1995, when the CALUP was more significantly revised, there have been several changes in the laws and guidelines that ALUC's use in developing and adopting airport land use plans. The following changes since 1995 have all contributed to the need to revise the CALUP and therefore shape its contents:

- State law (Section 21674.7 of the PUC) mandates that ALUC's and local agencies consider the planning guidelines presented in the Caltrans publication *California Airport Land Use Planning Handbook* (herein referred to as the Caltrans *Handbook).* Since 1995 Caltrans has published three editions of the *Handbook*, the most recent dated October 2011. Additional information providing a more in-depth understanding of the findings and policies presented in the draft Tulare County CALUP can be viewed or downloaded from the October 2011 *Handbook* from the Caltrans Division of Aeronautics website at http://www.dot.ca.gov/hq/planning/aeronaut/documents/alucp/AirportLandUsePlanningHandbook.pdf

- In 1994 (Chapter 438, Statutes of 1994), the California Environmental Quality Act (CEQA) was amended to require that guidelines presented in the Caltrans *Handbook* be considered when evaluating the environmental impacts of new projects. Since the 1995 CALUP was out-of-date with respect to the *Handbook*, there was the potential that the lack of consistency between them created impacts that require stop-gap, project unique, mitigation measures. Updating the CALUP avoids this piecemeal approach to ALUC policy.

- Changes in CEQA resulting from case law decisions (for example, *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007)) have confirmed that adoption of airport land use plan, such as the CALUP, is a "project" under CEQA. This decision places an additional burden on ALUC's to achieve consistency with other adopted plans, and, if not achieved, to document in various CEQA reports what impacts result and what mitigation measures are required.

- The Federal Aviation Administration (FAA) has amended regulations pertaining to obstructions in navigable airspace. These federal aviation regulations (FAR) previously known as FAR Part 77, "*Objects Affecting Navigable Airspace*" were amended effective January 18, 2011 to incorporate case law and various legislative actions. The new FAR Part 77 has been renamed "*Safe, Efficient Use, and Preservation of the Navigable Airspace.*" The Tulare County ALUC and several communities who have incorporated FAR Part 77 in their zoning regulations rely on this regulation as the basis for height restrictions around airports, as explained further in Section 3.2.

- Eight San Joaquin Valley Regional Planning Agencies (local Councils of Government - COGs) came together in 2005 to initiate a regional planning process known as the San Joaquin Valley Blueprint. This effort reflects an increasing need to address population and economic growth and manage resources on a regional scale. Out of this effort came 12 Smart Growth Principles that were adopted by each of the Regional Planning Agencies. In the next phase of the Blueprint process these agencies will begin implementing the 12 Smart Principles into local planning practices. Since Tulare County ALUC policies are reflected in the general plans and zoning ordinances of the County and local communities, ALUC policies need to be consistent with the San Joaquin Valley Blueprint.

- State law, in Section 21675(b) of the PUC, provides that an ALUC may include federal military airports in an airport land use plan. Although there are no federal military airports in Tulare County there are a number of such airports nearby and aircraft operating from those facilities utilize airspace over the southeastern part of the County. As a consequence, Tulare County has been involved in what is commonly referred to as the "R-2508 Complex Joint Land Use Study." The Joint Land Use Study (JLUS) is a collaborative planning effort between active military installations, surrounding counties and cities, and other affected agencies. The R-2508 Complex includes three military installations: Naval Air Weapons Station (NAWS) China Lake, Edwards Air Force Base (AFB) and Fort Irwin / National Training Center (NTC). The R-2508 Complex provides the largest single area of special use airspace over land in the United States, covering a land area of 20,000 square miles. However, none of the affected airspace falls within the influence areas of Tulare County's public-use airports and thus, while many overflight policies in this CALUP are similar to and generally compatible with those of the R-2508 JLUS plan, the ALUC has determined that the Tulare County General Plan and Zoning Ordinance (Ordinance No. 352) is the more appropriate vehicle to implement the R-2508 JLUS policies. In this context, the CALUP can serve as a guide for additional local regulations, if required.

- In 2000 the *Visalia-Dinuba School of Aeronautics*, which was located at Sequoia Field during World War II, was listed on the National Register of Historic Places, as well as on the California Register of Historic Resources. The airport was used during World War II as a civilian owned and operated training school for military pilots. The "*Sequoia Field/Visalia-Dinuba School of Aeronautics*," includes 35 resources (buildings and other improvements), many of which are located within the Tulare County Sheriff's Department Vocational Training and Adult Correctional Center. Five resources are located within the aviation boundaries of the Airport: Resource No. 31, the South Hangar; Resource No. 32, the Control Tower; Resource No. 33, Flight Office; Resource No. 34, the North Hangar and Resource No. 35, the Runway and Parking Apron. The ALUC recognizes the need to protect these resources.

The ALUC and the draft plan have a number of other limitations. State law does not provide the ALUC with authority over airport operations and consequently this plan applies only to the relationship between the County's public-use airports and the land uses surrounding them. The CALUP is not a development plan and therefore does not define specific land uses for any parcel. Furthermore, State law limits the ALUC policies to lands that are not already devoted to incompatible uses. Consequently, while the ALUC planning processes provides a means to recognize existing incompatible land uses, the ALUC has no authority to declare them as non-conforming or to remove such uses. However, the ALUC can restrict the further development of such incompatible uses as discussed in Section 4 of the attached draft plan (Attachment 1-Exhibit "A").

SUBJECT: Tulare County Comprehensive Airport Land Use Plan Update

## ENVIRONMENTAL SUMMARY:

An Environmental Assessment Initial Study (Attachment No. 1, Exhibit "B," Appendix F) identified potentially significant effects on the environment and a mitigated negative declaration and mitigation monitoring plan (implementation tables) were prepared, indicating that, although the project may have a significant effect on the environment, mitigation measures were incorporated into the project that would reduce any impact to a point where clearly no significant effect on the environment could occur and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The project and mitigated negative declaration were circulated for review from October 15, 2012 to November 26, 2012. The comment period was intentionally extended so that interested agencies, individuals and the public could comment after a Notice of Intent to Adopt/Public Hearing Notice was published and circulated on October 26, 2012.

Government Code Section 65009(b) requires the County to include in any public notice pursuant to Government Code, Title 7, Planning and Land Use, a notice substantially stating all of the following: "If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County of Tulare at, or prior to, the public hearing."

A Notice of Intent to Adopt and Notice of Public Hearing was published in the Visalia Times-Delta on October 26, 2012 at least ten days prior to the scheduled date of the November 28, 2012 public hearing (Please see Attachment No. 6 for a copy of the public notice). A public notice was mailed to all individuals and agencies who commented on the draft plan and draft mitigated negative declaration. In addition, a public notice was mailed to all individuals who requested to be notified of future public hearings regarding the project.

SUMMARY OF COMMENTS RECEIVED THROUGH 11/15/2012

Native American Heritage Commission
Native American Heritage Commission
Tulare County Fire Department-No Comment
Tulare County Environmental Health- No Comment
OPR-State Clearinghouse- Memo of Revision (to include Notice of Intent/Public Hearing)

**PROJECT PLANNER**

Jason Garcia-LoBue, Planner III

**COUNTYWIDE PLANNING DIVISION**

Fred Brusuelas, AICP, Chief Planner

**ENVIRONMENTAL REVIEW DIVISION**

Hector Guerra, Chief Planner

**ASSISTANT DIRECTOR, PLANNING BRANCH**

Michael C. Spata

**SUBJECT:** Tulare County Comprehensive Airport Land Use Plan Update

**ATTACHMENTS:**

Attachment No. 1 – Draft Resolution for Tulare County Airport Land Use Plan Update
Exhibit "A" – Draft Plan
Exhibit "B" – Appendices
Attachment No. 2 – Airport Vicinity Maps (Safety Zones)
Attachment No. 3 – Draft Resolution for the Mitigated Negative Declaration for the Tulare County Airport Land Use Plan Update
Attachment No. 4 – Mitigated Negative Declaration and Initial Study
Attachment No. 5 – Consulting Agency List and Correspondence
Attachment No. 6 – Public Hearing Notice

# ATTACHMENT NO. 1

# DRAFT RESOLUTION FOR CALUP UPDATE

FOR EXHIBIT A (DRAFT PLAN)
&
EXHIBIT B (APPENDICIES)

PLEASE REFER TO CD
(ELECTRONIC COPY)

BEFORE THE AIRPORT LAND USE COMMISSION
COUNTY OF TULARE, STATE OF CALIFORNIA

| | | |
|---|---|---|
| IN THE MATTER OF THE TULARE COUNTY COMPREHENSIVE AIRPORT LAND USE PLAN UPDATE | ) ) ) ) ) | RESOLUTION NO. XXXX |

Resolution of the Airport Land Use Commission of the County of Tulare recommending the adoption of the proposed Tulare County Comprehensive Airport Land Use Plan, with modifications described in greater detail below.

**WHEREAS**, the Tulare County Airport Land Use Commission has initiated action to amend the Tulare County Comprehensive Airport Land Use Plan pursuant to Division 9, Chapter 4, Article 3.5 of the Public Utilities Code of the State of California; and

**WHEREAS**, Tulare County ("County") is a political subdivision of the State of California, and is located in California's central valley bounded by Fresno County to the north, Kern County to the south, Inyo County to the east, and Kings County to the west; and

**WHEREAS**, the Airport Land Use Commission has given notice of the proposed amendment to the Tulare County Comprehensive Airport Land Use Plan as provided in Sections 65090 and 65091 of the Government Code of the State of California and as provided for in the County's California Environmental Quality Act Guidelines; and

**WHEREAS**, staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan to assure action consistent with the procedures and purposes set forth in the California Government Code, California Public Utilities Code, and the Tulare County General Plan; and

**WHEREAS**, a public notice was printed in the Visalia Times Delta on October 26, 2012 at least ten days prior to the public hearing and that hearing was held at which public testimony was received at a public hearing before the Airport Land Use Commission on November 28, 2012;

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Plan is the County's principal airport land use policy document to guide growth, development, and conservation around airports; and

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Plan is a policy document that works with affected jurisdictions to implement the safety, noise, height and overflight policies in areas of close proximity to airports; and

**WHEREAS,** the following two airports of the County's prior Comprehensive Airport Land Use Plan are deleted with the 2012 adoption of Tulare County Comprehensive Airport Land Use Plan Update:

- Alta Airport
- Harmon Field ; and

**WHEREAS,** at said public hearing the Airport Land Use Commission considered the staff report contained which is maintained by the County and incorporated herein by reference along with evidence and testimony at said hearing; and the recommended action to adopt the Mitigated Negative Declaration; and

**WHEREAS,** prior to said hearing, the Tulare County Airport Land Use Commission sought out and incorporated public input throughout the preparation of the Update. As part of the public outreach and participation efforts, the County met with the affected cities and airports and held a public workshop "Working Draft" meeting on July 27, 2011 to solicit public comments on the plan; and

**WHEREAS,** the Airport Land Use Commission recognizes the need and desirability to conduct reviews of, and consider amendments to, the Tulare County Comprehensive Airport Land Use Plan to accommodate the changing needs of the County, surrounding communities, and the aeronautical industry; and

**WHEREAS,** staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan Update to assure action consistent with the procedures and purposes set forth in the California Government Code and Public Utilities Code; and

**WHEREAS,** this action is taken to all applicable procedures required by state law and the County of Tulare; and

**WHEREAS,** the action recited herein is found to be essential for the preservation of public health, safety, and general welfare; and

**NOW, THEREFORE, BE IT RESOLVED** as follows:

A. The Airport Land Use Commission hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full,

B. The Airport Land Use Commission opened the Public Hearing and Received a Staff Presentation on the Tulare County Comprehensive Airport Land Use Plan Update and the Mitigated Negative Declaration prepared for the project,

C. The Airport Land Use Commission has received public comment and testimony regarding adoption of the Proposed Tulare County Comprehensive Airport Land Use Plan Update,

D. The Airport Land Use Commission Closed the Public Hearing,

E. The Airport Land Use Commission hereby adopts the Tulare County Comprehensive Airport Land Use Plan Update with subject modifications as identified at the Public Hearing.

The foregoing resolution was adopted upon motion of Commissioner____, seconded by Commissioner_____, at a meeting of the Airport Land Use Commission on the 28th day of November, by the following roll call vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

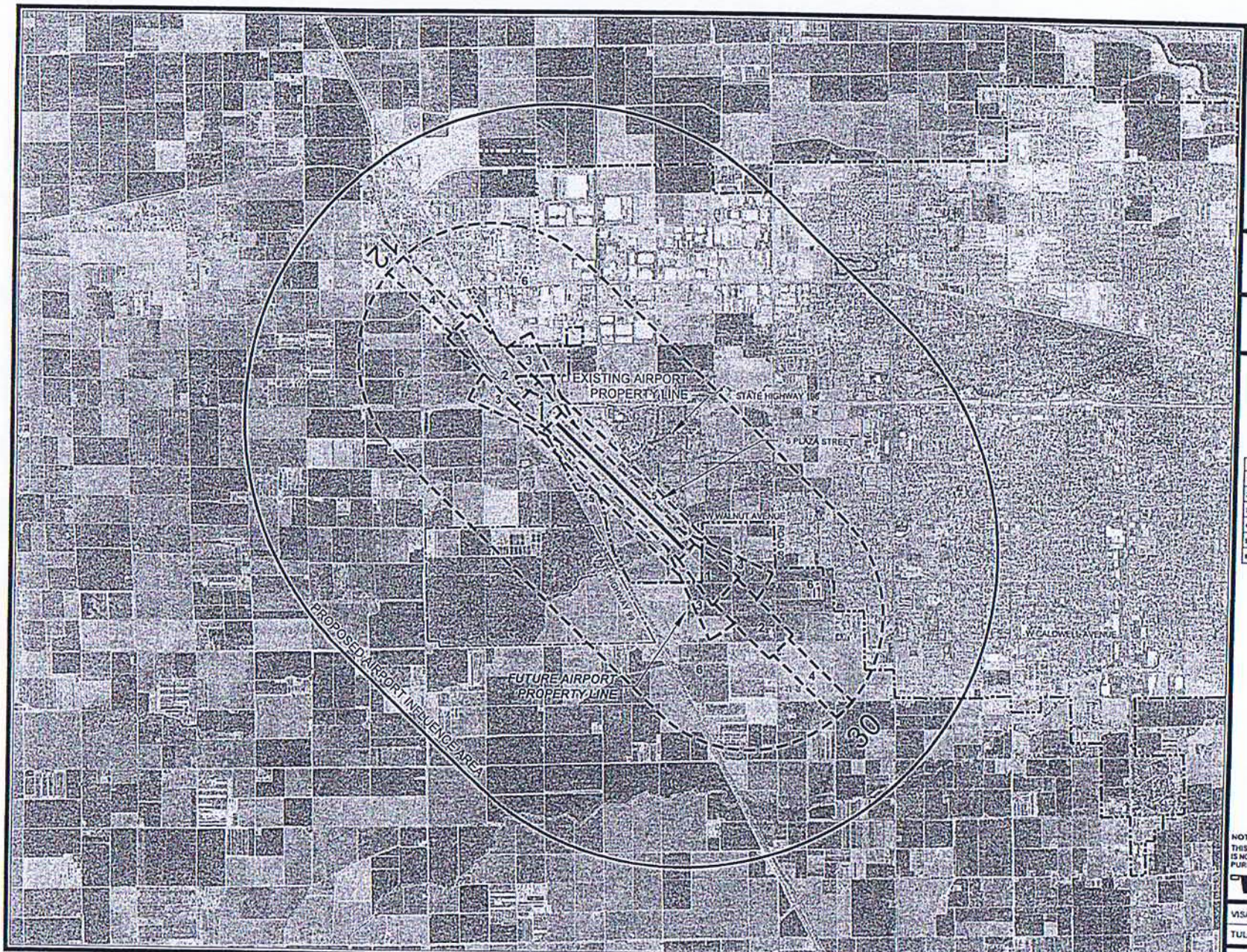
TULARE COUNTY AIRPORT LAND USE COMMISSION

_____

Michael C. Spata, Secretary

# ATTACHMENT NO. 2

# AIRPORT VICINITY MAPS




COUNTY OF TULARE CALIFORNIA

# VISALIA MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |
| | GOSHEN COMMUNITY PLAN |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH 15°E(2003)

0 2,000 4,000

1,000 3,000

GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

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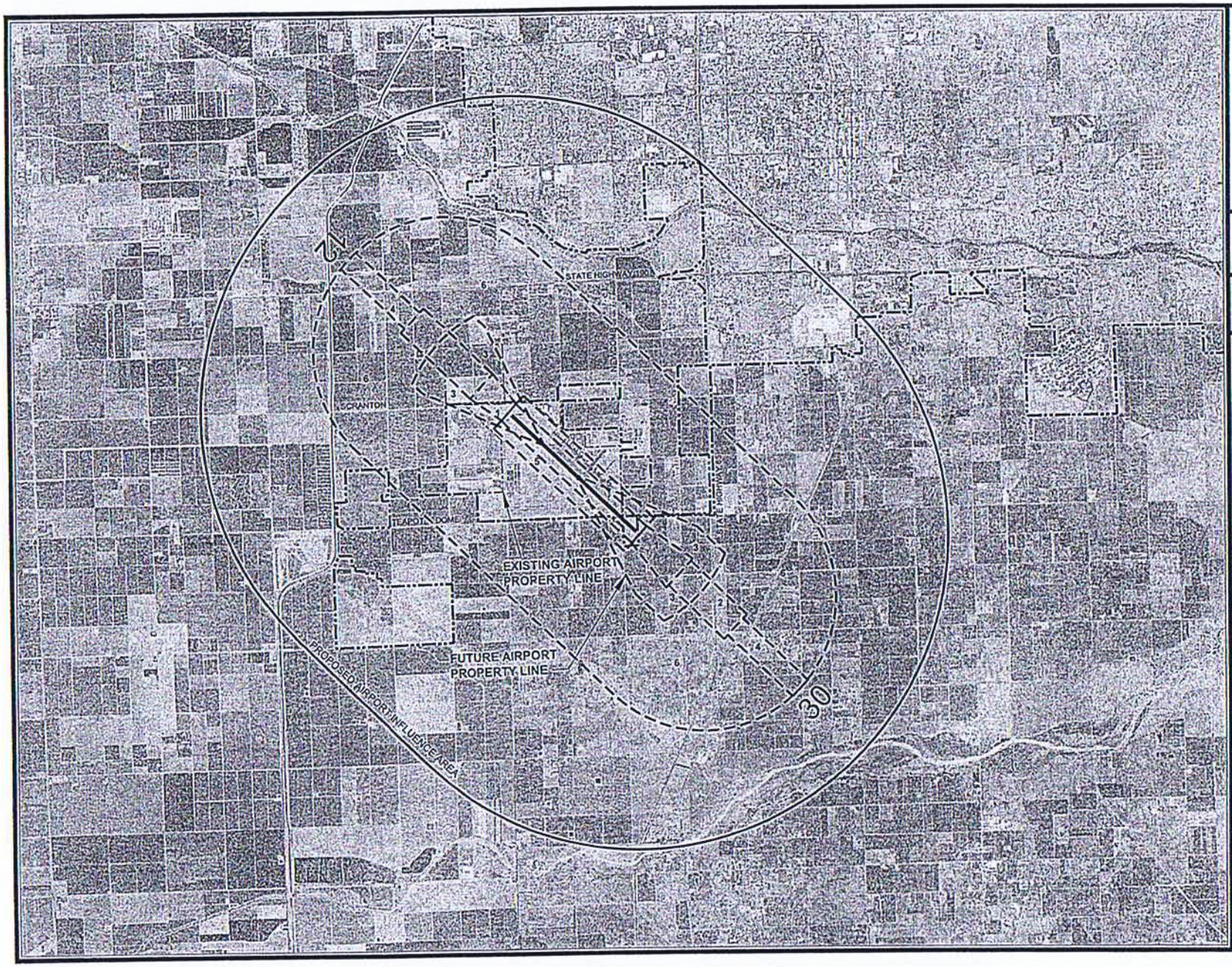
|---|---|
| VISALIA MUNICIPAL AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | VIS-2 |




COUNTY OF TULARE CALIFORNIA

# PORTERVILLE MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TESTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH 15°E(2003)

0 1,000 2,000 3,000 4,000

GRAPHIC SCALE IN FEET

NOTE: THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

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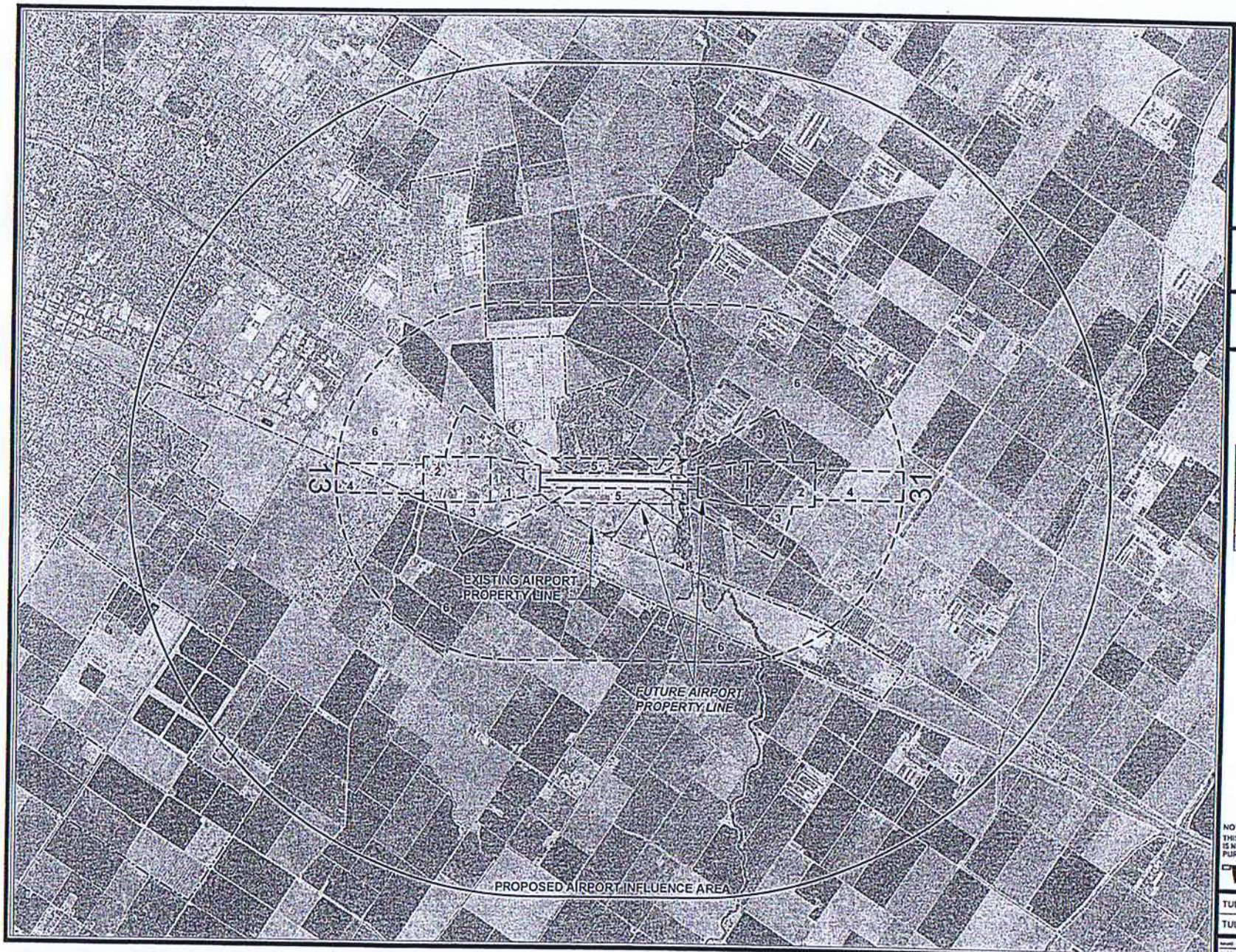
|---|---|
| PORTERVILLE MUNICIPAL AIRPORT | FIGURE PTV-2 |
| TULARE COUNTY, CALIFORNIA | |




COUNTY OF TULARE CALIFORNIA

# TULARE MUNICIPAL AIRPORT- MEFFORD FIELD

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TESTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER SAFETY ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER SAFETY ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

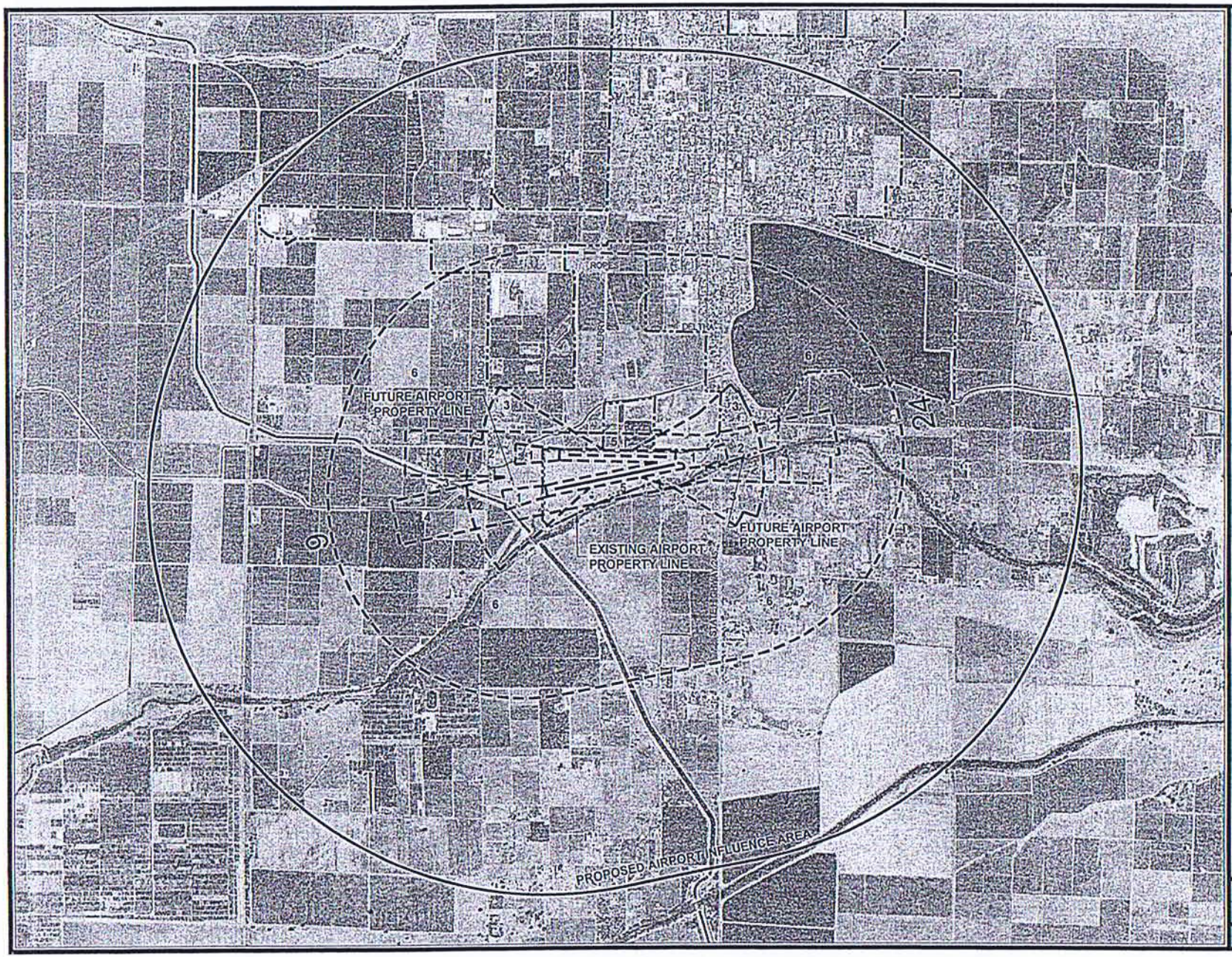
MAGNETIC NORTH
14°26.25'E (2004)
TRUE NORTH

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| TULARE MUNICIPAL AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | TLR-2 |
| | |
| | |




COUNTY OF TULARE CALIFORNIA

# WOODLAKE MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH 15°E(2003)

0 1,000 2,000

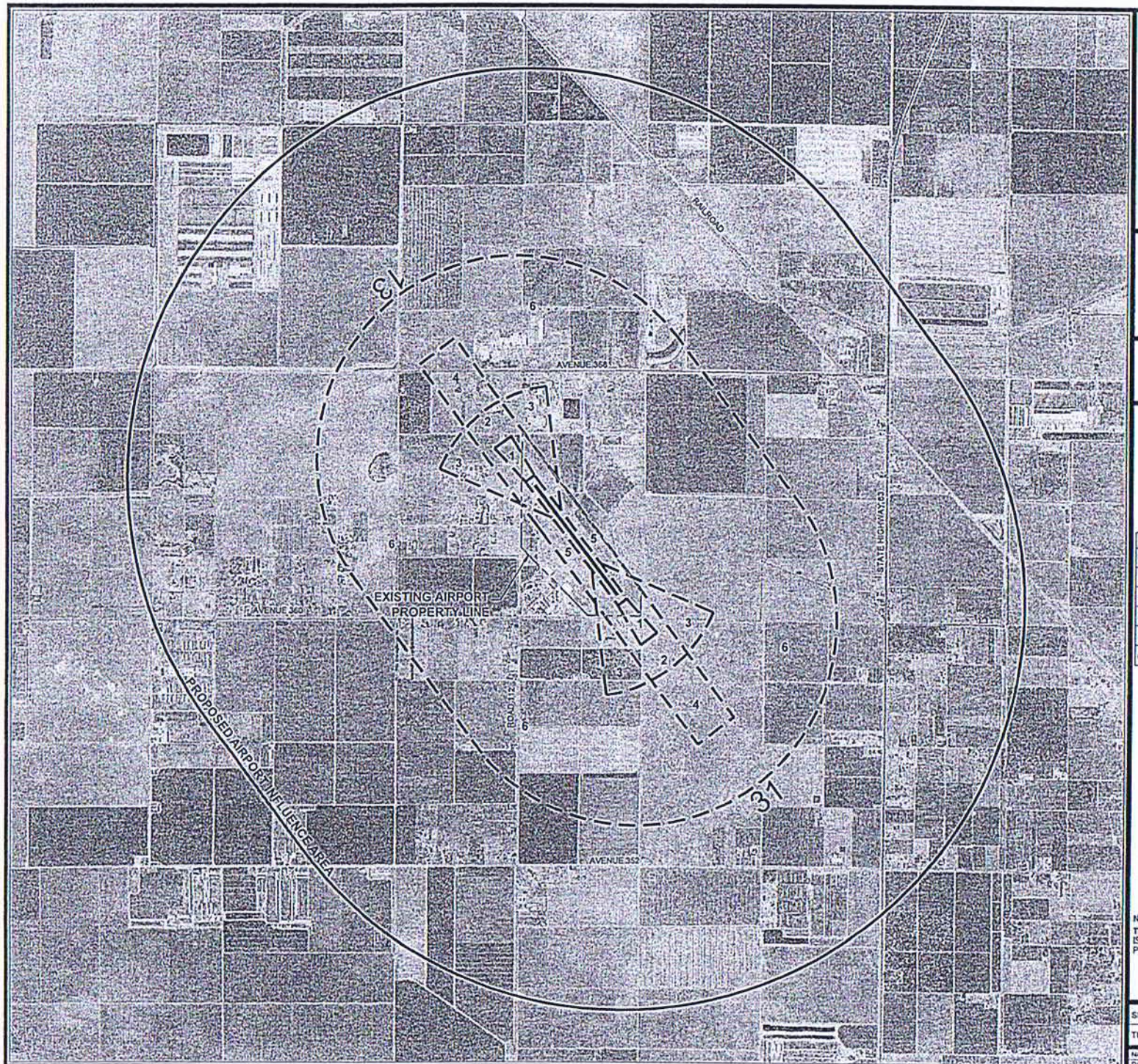
500 1,500

GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| WOODLAKE MUNICIPAL AIRPORT | FIGURE WDL-2 |
| TULARE COUNTY, CALIFORNIA | |




COUNTY OF TULARE CALIFORNIA

# SEQUOIA FIELD AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONE |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

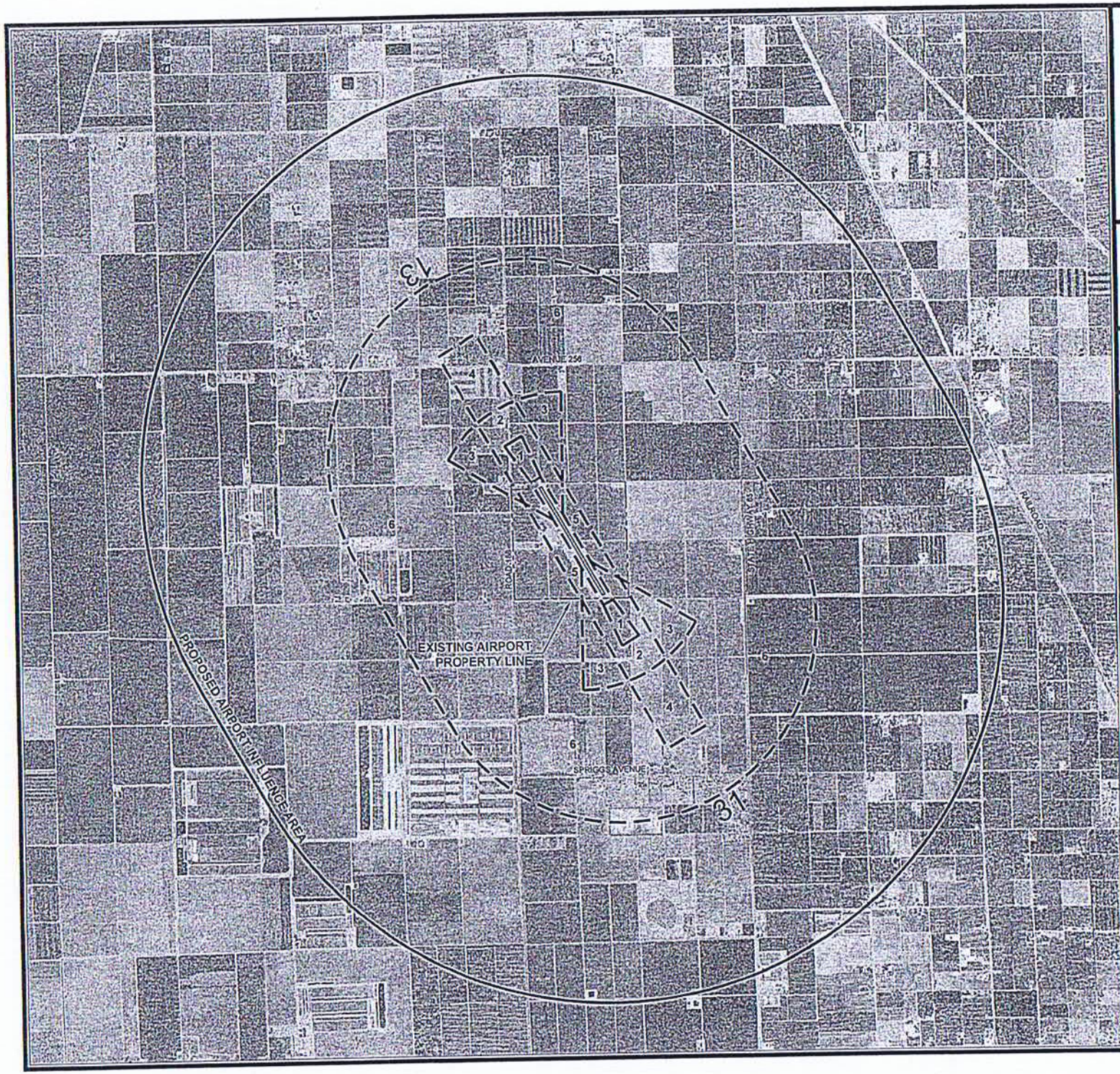
MAGNETIC NORTH
13°26' E (2009)

0 1,000 2,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| SEQUOIA FIELD AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | SEQ-2 |
| NAME D09-02-Runway Safety Area.dwg | NO 4450-05 |
| DATE 09-27-2012 | PLOT SCALE 1"= 3,000' |




COUNTY OF TULARE CALIFORNIA

# EXETER AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER SAFETY ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER SAFETY ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
14°26.25'E (2004)

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

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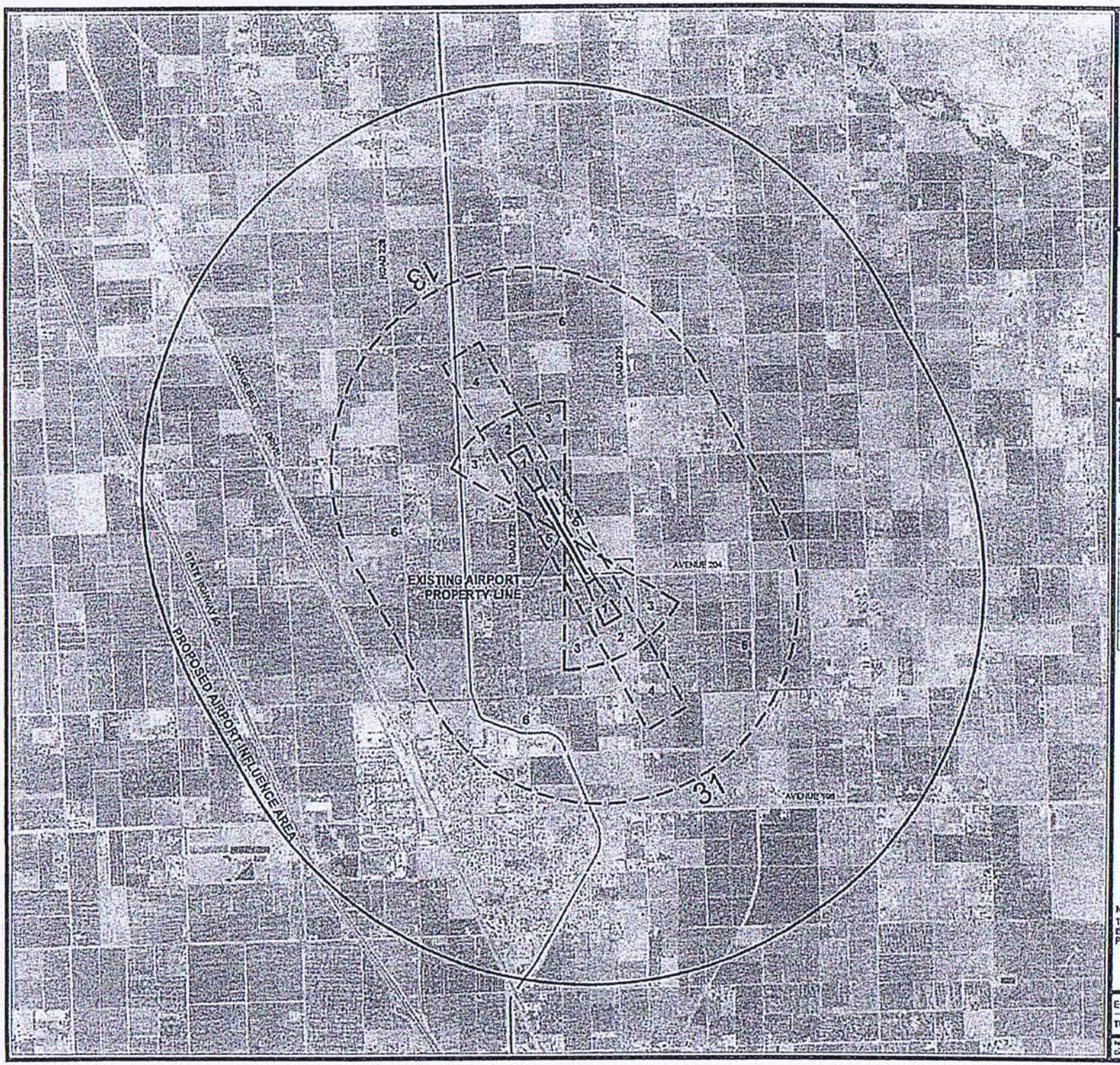
| | |
|---|---|
| EXETER AIRPORT | FIGURE EXE-2 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: 063-02-Runway Safety Area.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE 1"= 2,000' |




COUNTY OF TULARE CALIFORNIA

# ECKERT FIELD

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH | MAGNETIC NORTH 15°E(2003)

0 1,000 2,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

ARIES CONSULTANTS LTD.

| | |
|---|---|
| ECKERT FIELD | FIGURE ECK-2 |
| TULARE COUNTY, CALIFORNIA | |
| NAME: 101402 Runway Safety Zones.dwg | NO: 440509 |
| DATE: 09-17-2013 | PLOT SCALE: 1"=2,000' |

# ATTACHMENT NO. 3

# DRAFT RESOLUTION FOR MITIGATED NEGATIVE DECLARATION

**BEFORE THE AIRPORT LAND USE COMMISSION**
**COUNTY OF TULARE, STATE OF CALIFORNIA**

| | | |
|---|---|---|
| **IN THE MATTER OF THE MITIGATED NEGATIVE DECLARATION FOR THE TULARE COUNTY COMPREHENSIVE AIRPORT LAND USE PLAN UPDATE** | ) ) ) ) ) | **RESOLUTION NO. XXXX** |

Resolution of the Airport Land Use Commission of the County of Tulare recommending the adoption of the Mitigated Negative Declaration for the Tulare County Comprehensive Airport Land Use Plan Update.

**WHEREAS**, the Tulare County Airport Land Use Commission considered a Mitigated Negative Declaration for the adoption of the Tulare County Comprehensive Airport Land Use Plan Update at a duly advertised public hearing held on November 28, 2012, at which time oral and documentary evidence was presented; and

**WHEREAS**, the Airport Land Use Commission has given notice of the proposed amendment to the Tulare County Comprehensive Airport Land Use Plan as provided in Sections 65090 and 65091 of the Government Code of the State of California and as provided for in the County's California Environmental Quality Act Guidelines; and

**WHEREAS**, staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan Update to assure action consistent with the procedures and purposes set forth in the California Government Code, California Public Utilities Code, and the Tulare County General Plan; and

**WHEREAS**, a public notice was printed in the Visalia Times Delta on October 26, 2012 at least ten days prior to the public hearing and that hearing was held at which public testimony was received at a public hearing before the Airport Land Use Commission on November 28, 2012;

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Commission's public hearing was closed after public testimony was received on November 28, 2012; and

**WHEREAS**, the Tulare County Comprehensive Airport Land Use Plan is a policy document that works with affected jurisdictions to implement the safety, noise, height and overflight policies in areas of close proximity to airports; and

**WHEREAS**, at said public hearing the Airport Land Use Commission considered the staff report contained which is maintained by the County and incorporated herein by reference along with evidence and testimony at said hearing; and the recommended action to adopt the Mitigated Negative Declaration; and

**WHEREAS**, prior to said hearing, the Tulare County Airport Land Use Commission sought out and incorporated public input throughout the preparation of the Update. As part of the public outreach and participation efforts, the County met with the affected cities and airports and held a public workshop "Working Draft" meeting on July 27, 2011 to solicit public comments on the plan; and

**WHEREAS**, the Airport Land Use Commission recognizes the need and desirability to conduct reviews of, and consider amendments to, the Tulare County Comprehensive Airport Land Use Plan to accommodate the changing needs of the County, surrounding communities, and the aeronautical industry; and

**WHEREAS**, staff has made such investigation of fact bearing upon the proposed Tulare County Comprehensive Airport Land Use Plan Update and the Mitigated Negative Declaration to assure action consistent with the procedures and purposes set forth in the California Government Code and Public Utilities Code; and

**WHEREAS**, the Airport Land Use Commission has reviewed and considered the information in the Mitigated Negative Declaration and reviewed the oral and written comments up to the time of the adoption of this resolution; and

**WHEREAS**, this action is taken to all applicable procedures required by state law and the County of Tulare; and

**WHEREAS**, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare; and

**NOW, THEREFORE, BE IT RESOLVED** as follows:

A. The Airport Land Use Commission hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full,

B. The Airport Land Use Commission opened the Public Hearing and Received a Staff Presentation on the Tulare County Comprehensive Airport Land Use Plan Update and the Mitigated Negative Declaration prepared for the project,

C. The Airport Land Use Commission has received public comment and testimony regarding adoption of the Mitigated Negative Declaration for the Proposed Tulare County Comprehensive Airport Land Use Plan Update,

D. The Airport Land Use Commission Closed the Public Hearing,

E. The Airport Land Use Commission hereby adopts the Mitigated Negative Declaration for the Tulare County Comprehensive Airport Land Use Plan Update with subject modifications as identified at the Public Hearing.

The foregoing resolution was adopted upon motion of Commissioner____, seconded by Commissioner_____, at a meeting of the Airport Land Use Commission on the 28th day of November, 2012 by the following roll call vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY AIRPORT LAND USE COMMISSION

_____

Michael C. Spata, Secretary

# ATTACHMENT NO. 4

# MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

Project: Tulare County Airport Land Use Plan Update
Applicant: Tulare County
Agent: Aries Consultants
Date Prepared: October 9, 2012

# MITIGATED NEGATIVE DECLARATION

## DESCRIPTION OF PROJECT:

Amendment (Update) to the Tulare County Comprehensive Airport Land Use Plan

Proposal, Zoning and Parcel Size:
A Mitigated Negative Declaration and an amendment to the Tulare County Comprehensive Airport Land Use Plan. Changes to the plan include an update to the Safety, Noise, Overflight, and Height polices and safety zones. The Countywide plan update affects Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert, and Porterville Airports and their surrounding communities.

Location:

Tulare County-Countywide

Project Facts:

Refer to Initial Environmental Study for a) project facts, plans and policies, b) discussion of environmental effects and mitigation measures and c) determination of significant effect.

Attachments:

| | |
|---|---|
| Initial Environmental Study | (X) |
| Maps | (X) |
| Mitigation Measures | (X) |

## DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

(a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory.

(b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the Tulare County Resource Management Agency, in accordance with the CEQA 1970, as amended. A copy may be obtained from the Tulare County Resource Management Agency, 5961 South Mooney Blvd., Visalia, CA 93277-9394, telephone (559) 624-7000, during normal business hours.

APPROVED
HECTOR GUERRA
CHIEF ENVIRONMENTAL PLANNER

BY: _____

DATE APPROVED 10/11/12

REVIEW PERIOD 30 days

MICHAEL C. SPATA
ENVIRONMENTAL ASSESSMENT OFFICER

BY: _____

DATE APPROVED: 10 - 11 - 12

REVIEW PERIOD: 30 days

# COUNTY OF TULARE

5961 South Mooney Boulevard
Visalia, California 93277

## ENVIRONMENTAL CHECKLIST FORM

In accordance with the policies regarding implementation of the California Environmental Quality Act of 1970, this document, combined with the attached supporting data, constitutes the Initial Study on the subject project. This Initial Study provides the basis for the determination whether the project may have a significant effect on the environment. If it is determined that the proposed project may have a significant effect on the environment, an environmental impact report will be prepared which focuses on the areas of concern identified by this Initial Study.

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| | | |
|---|---|---|
| 1. | **Project Title:** | Adoption of Update to the Tulare County Comprehensive Airport Land Use Plan (CALUP) |
| 2. | **Lead Agency Name and Address:** | County of Tulare, Airport Land Use Commission<br>5961 South Mooney Boulevard<br>Visalia, California 93277 |
| 3. | **Contact Person and Phone Number:** | Jason Garcia-LoBue<br>(559) 624-7123 |
| 4. | **Project Location:** | Tulare County, California |
| 5. | **Project Sponsor's Name and Address:** | County of Tulare, Airport Land Use Commission<br>5961 South Mooney Boulevard<br>Visalia, California 93277 |
| 6. | **General Plan Designation:** | N/A |
| 7. | **Zoning:** | N/A |

8. **Project Description:** The County of Tulare, Airport Land Use Commission (the Tulare County ALUC) is proposing to adopt a complete update to the Tulare County Comprehensive Airport Land Use Plan (CALUP), a regulatory document. The CALUP Update will change some ALUC policies for public-use airports in Tulare County and change some areas where these policies are applied. This action is taken pursuant to Section 21675 of the California Public Utilities Code (PUC), which requires each ALUC to formulate, and when necessary review, a comprehensive land use plan that provides for the orderly growth of each public airport and the area surrounding each airport within the jurisdiction of the Commission in order to safeguard the general welfare of inhabitants within the vicinity of each airport and the public in general. The following Tulare County public-use airports will be affected by the CALUP Update:

   - Visalia Municipal Airport
   - Porterville Municipal Airport
   - Tulare Municipal Airport – Mefford Field
   - Woodlake Municipal Airport
   - Sequoia Field
   - Exeter Airport (formerly Thunderhawk Field)
   - Eckert Field

ALUC responsibilities, and the contents of Comprehensive Airport Land Use Plans, are limited by legislation. ALUC responsibilities are limited to public safety and noise, therefore, a Comprehensive Airport Land Use Plan is limited to policies pertaining to safety in the air (enacted through building height restrictions), safety on the ground (enacted through land use restrictions within safety compatibility zones), protections from aircraft noise (enacted through land use restrictions and attainment of noise reduction requirements within noise compatibility zones), and protections from potential noise or safety issues pertaining to aircraft over-flights (enacted in part through land use restrictions and in part through disclosures to home buyers and renters that they are locating within an Airport Influence Area). ALUC policies apply only within an Airport Influence Area and only to areas that are not already devoted to incompatible land uses.

The Tulare County ALUC last updated the CALUP in November 2008 with adoption of a Supplemental Plan for the Tulare Municipal Airport-Mefford Field. A comprehensive update of the entire CALUP document was last completed in November 1995. There are several reasons and purposes for comprehensively updating the CALUP at this time:

- State law (Section 21674.7 of the PUC) mandates that ALUC's and local agencies consider the planning guidelines presented in the California Department of Transportation, Aeronautics Division (Caltrans) publication *California Airport Land Use Planning Handbook* (herein referred to as the Caltrans *Handbook).* Since the comprehensive 1995 CALUP update, Caltrans has published three editions of the *Handbook*, the most recent dated October 2011. The most significant changes among these different versions of the Caltrans *Handbook* pertain to 1) how safety compatibility zones are identified and their associated allowed land uses; and 2) increased emphasis on secondary safety issues such as bird strike hazards. Updating the CALUP makes it current with respect to Caltrans guidelines.
- In 1994 (Chapter 438, Statutes of 1994), the California Environmental Quality Act (CEQA) was amended to require that guidelines presented in the Caltrans *Handbook* be considered when evaluating the environmental impacts of new projects. Since the 1995 CALUP was out-of-date with respect to the *Handbook*, there was the potential that the lack of consistency between these documents created impacts that require stop-gap, project unique, mitigation measures. Updating the CALUP remedies a piecemeal approach to ALUC policy.
- Changes in CEQA resulting from case law decisions (specifically *Muzzy Ranch Co. v. Solano County Airport Land Use Commission, California Supreme Court, September 12, 2007*) have affirmed that adoption of airport land use plans, such as the CALUP, are a "project." This decision places an additional burden on ALUC's to achieve consistency with other adopted plans and, if not achieved, to document potential impacts in various CEQA reports and identify probable mitigation measures.
- The Federal Aviation Administration (FAA) has amended regulations pertaining to obstructions in navigable airspace. These regulations previously known as FAR Part 77, "*Objects Affecting Navigable Airspace*" were amended effective January 18, 2011 to incorporate case law and various legislative actions. The new FAR Part 77 has been renamed "*Safe, Efficient Use, and Preservation of the Navigable Airspace.*" The Tulare County ALUC, Tulare County and several cities who have incorporated FAR Part 77 in planning documents and zoning regulations rely on this regulation as the basis for height

restrictions around airports. The need for consistency will require some jurisdictions to update their references and policies with respect to FAR Part 77 and the CALUP Update.

- Under Section 21675(a) of the PUC, ALUC policies for a specific airport must be keyed to an airport master plan, or other facilities-type plan approved by Caltrans. Each airport where the CALUP Update applies has either an adopted airport master plan or Caltrans approved alternative. Only a few key provisions of these documents are required to provide the basis for airport land use compatibility policy; specifically, runway length, aircraft navigational requirements in the airport vicinity, and the number and type of aircraft operations that are likely to occur. Since 1995 each of the City-owned airports within Tulare County (Visalia, Tulare, Porterville and Woodlake) have updated their respective airport master plan or airport layout plan necessitating changes to their respective airport influence area. The CALUP Update will provide consistency between ALUC policy and these various airport planning changes.

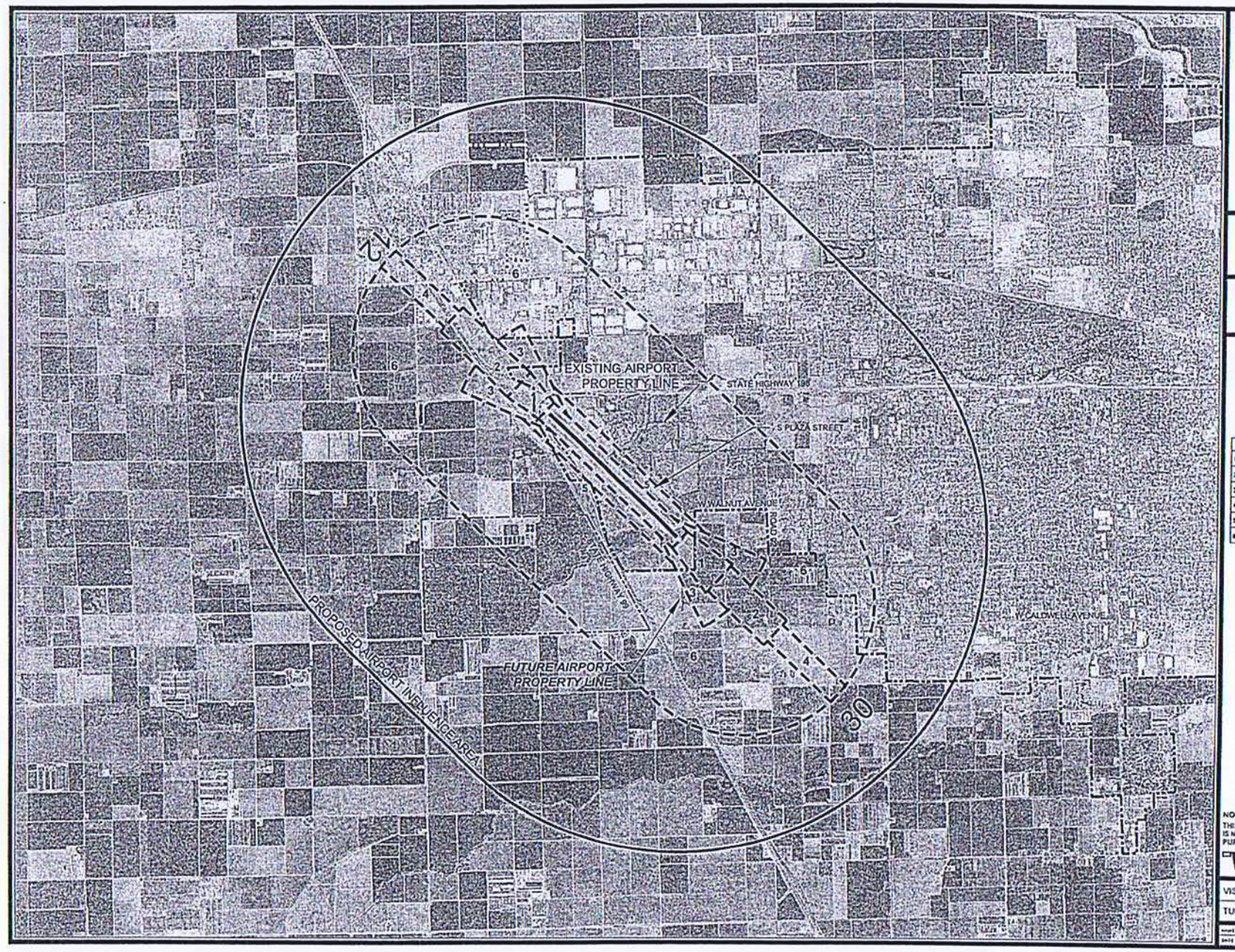
As a result of key changes to airport plans (detailed in Item 9 below) and Caltrans guidance (as noted above), the CALUP Update establishes new policies with regard to safety and extends existing policies regarding height controls and safety to some areas not previously affected by ALUC policy. This environmental analysis was prepared to evaluate the effects of these policy changes.

9. **Surrounding Land Uses and Setting:** The following discussion provides for each affected airport: 1) a summary of relevant airport changes affecting ALUC policy; 2) a summary of vicinity land use conditions in areas affected by ALUC policy and compatibility with ALUC policy; and 3) available land use controls. This discussion also includes mapping of the ALUC's proposed Airport Influence Areas and Safety Zones.

**Visalia Municipal Airport.** The Airport Master Plan for Visalia Municipal Airport was updated in 2004 and is the basis for applying CALUP policies. (Figure VIS-2 illustrates the Airport Influence Area and Safety Zones for the Visalia Municipal Airport.) Key recommendations of the Airport Master Plan that affect CALUP policies are: 1) Runway 12-30 is proposed to be extended to the southeast from 6,559 feet to 8,000 feet; and 2) approximately 563 acres are proposed to be acquired (324 acres in fee title and 239 acres in avigation easements) for the recommended runway extension and future runway protection zone.

As a result of the proposed runway extension the Airport Influence Area would be extended approximately 1,440 feet along the extended centerline axis of the runway to the southeast encompassing approximately 926 additional acres. Approximately 300 to 400 acres of this area is made up of residential and commercial areas associated with the City of Visalia and the remainder is predominantly agricultural lands in Tulare County. Adoption of Caltrans' recommended safety compatibility zones would significantly reduce the areas affected by ALUC safety compatibility policies.

Land use controls within the Visalia Municipal Airport Influence Area are based upon the City of Visalia General Plan and Zoning Ordinance, which applies to the incorporated areas, and the Tulare County General Plan and Zoning Ordinance, which applies to the unincorporated areas. In addition, Tulare County's Goshen Community Plan regulates a small portion of the area northwest of the Airport.




COUNTY OF TULARE CALIFORNIA

# VISALIA MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |
| | GOSHEN COMMUNITY PLAN |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH 15°E(2003)

0 2,000 4,000

1,000 3,000

GRAPHIC SCALE IN FEET

NOTE:
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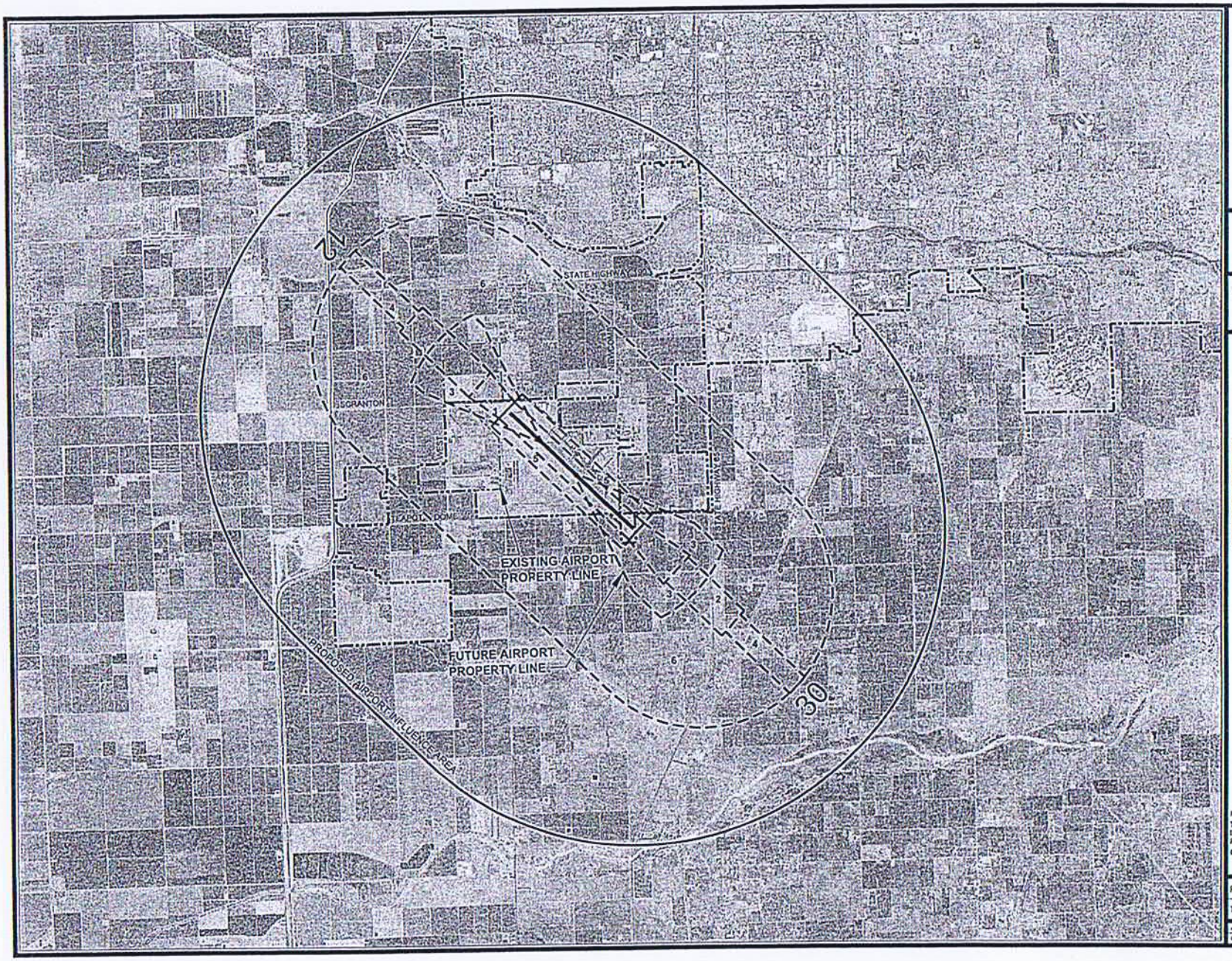
| | |
|---|---|
| VISALIA MUNICIPAL AIRPORT | FIGURE VIS-2 |
| TULARE COUNTY, CALIFORNIA | |

Existing and proposed land uses west and south of the Airport within the Tulare County portions of the Airport Influence Area are primarily agricultural, which is generally compatible with all ALUC policies. Areas north and east of the Airport within the Airport Influence Area are within the City of Visalia and the Community of Goshen. Virtually the entire Community of Goshen is affected by ALUC height control policies and approximately one-third of the Community is affected by ALUC policies for Safety Zone 6 together with a much smaller area affected by policies for Safety Zone 4. Single family residential development (including low and medium density rural residential uses) is compatible with ALUC policy for Safety Zone 6, if aircraft noise is below 60 decibels (dB) Community Noise Equivalent Level (CNEL), as is the case for these areas. Residential uses are not compatible in Safety Zone 4 due to the increased safety risks. Commercial and industrial development is also generally compatible in Safety Zone 6 and may also be compatible in Safety Zone 4 if for both zones the use meets restrictions applied to above-ground storage of hazardous materials and does not create fumes, smoke, electrical interference, or other events that might interfere with aircraft safety.

Western areas within the City of Visalia are affected by ALUC height control, overflight, infill and Safety Zone 6 policies. Large areas of industrial uses exist or are proposed north of the Airport. Industrial uses are generally compatible with ALUC policies for Safety Zone 6, although, as noted above, restrictions apply to above-ground storage of hazardous materials and the creation of fumes, smoke, electrical interference, or other events that might interfere with aircraft safety. Commercial development is also generally compatible in Safety Zone 6. Other residential and commercial areas within the City of Visalia are located in areas outside established Safety Zones but within areas affected by ALUC height control, overflight, and infill policies. In these areas such uses would be incompatible only if the height of a proposed new development exceeds height standards established for the Visalia Municipal Airport. Aircraft noise exceeding 65 dB CNEL is wholly contained within the Airport boundary and residential development restrictions associated with the Safety Zones limits exposure to lower levels of aircraft noise in areas outside the Airport boundary.

**Porterville Municipal Airport.** Although the most recent Airport Master Plan for Porterville Municipal Airport was prepared in 1977, the City of Porterville prepared an Airport Layout Plan Narrative Report in 2006 which Caltrans approved as the basis for the CALUP. Since then, the City has proposed further revisions to the Airport Layout Plan but has not obtained FAA or Caltrans approval. (Figure PTV-2 illustrates the Airport Influence Area and Safety Zones for the Porterville Municipal Airport.)

The most recent Airport Layout Plan approved by the FAA, proposes the following changes that are relevant to the CALUP: 1) Runway 12-30 currently 5,908 feet long is proposed to be extended 1,742 feet to the southeast and the northwest end of the runway is proposed to be relocated 650 feet to the southeast for a total length of 7,000 feet. 2) In support of the runway extension and future runway protection zone, approximately 206 acres of land are proposed to be acquired in fee title and an additional 30 acres of avigation easements are proposed for areas southeast of the Airport.




COUNTY OF TULARE
CALIFORNIA

# PORTERVILLE MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 2,000 4,000
1,000 3,000

NOTE: GRAPHIC SCALE IN FEET

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| PORTERVILLE MUNICIPAL AIRPORT | FIGURE |
|---|---|
| TULARE COUNTY, CALIFORNIA | PTV-2 |

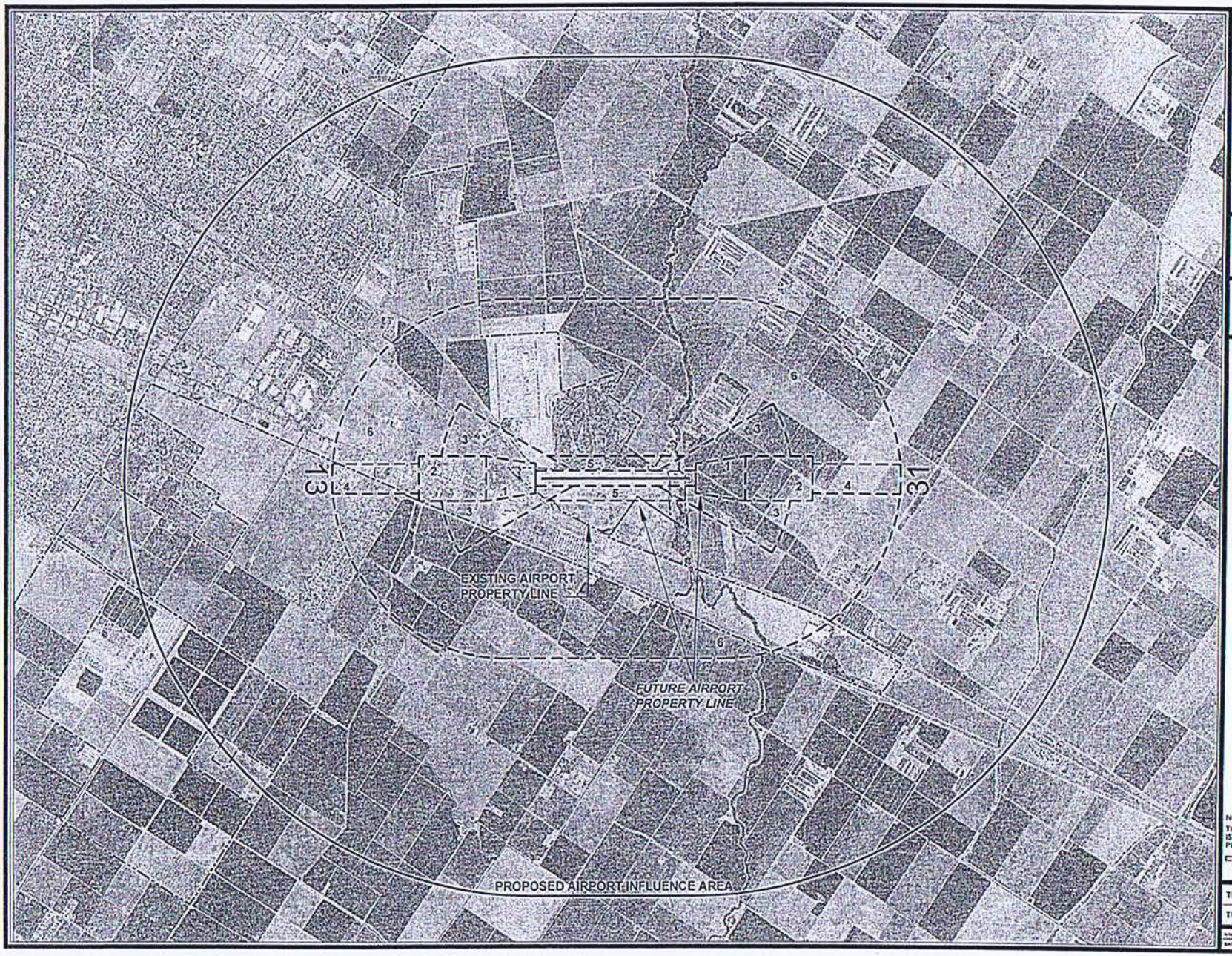
As a result of the proposed runway changes the ALUC proposes to extend the Porterville Municipal Airport Influence Area consistent with the runway extension to the southeast. Along the extended runway centerline axis, the southeastern edge of the Airport Influence Area is shifted further southeast a total of 1,742 feet. In order to protect land use compatibility to the northwest, until such time as the planned runway improvements are made, the Airport Influence Area continues to be based on the existing northwest end of the runway As a result of these changes to the runway the overall size of the Porterville Municipal Airport Influence Area increases by approximately 1,130 acres.

Land Use controls within the Porterville Municipal Airport Influence Area are provided by the City of Porterville General Plan and Zoning Ordinance and the Tulare County General Plan and Zoning Ordinance. The City of Porterville has established the "Airport Environs (AE) Overlay District" (Chapter 500) within its zoning ordinance. The AE Overlay District ordinance provides a comprehensive set of compatibility guidelines for noise exposure, safety, and aircraft overflight and airspace protection based on the same airport documents used by the ALUC. However, while the Airport Safety Zones documented in the Porterville Airport Environs (AE) Overlay District zoning ordinance Map 500-2 are similar in character and associated restrictions, they are different in size (generally smaller) to those proposed by the ALUC in the CALUP Update.

Land uses within County areas of the Porterville Municipal Airport Influence Area are primarily agricultural with citrus orchards and field crops predominating. Industrial uses have been established in Safety Zone 6, however these are generally considered to be compatible. Within the City of Porterville, land use in the Airport Influence Area is a mix of commercial and residential activities all generally located outside of the CALUP Safety Zones, but within the Airport Influence Area. Such uses are fully compatible in this location.

**Tulare Municipal Airport–Mefford Field**. As noted previously, the ALUC updated that portion of the CALUP pertaining to Tulare Municipal Airport - Mefford Field through adoption of a Supplemental Plan Amendment on November 19, 2008. The Supplemental Plan Amendment was processed through CEQA and reflects the current airport master plan that was updated in 2006. The CALUP Update includes minor changes to ALUC policy that were not reflected in the Supplemental Plan Amendment. Differences between the Supplemental Plan Amendment and the CALUP Update are insignificant, but are included to document the overall consistency of the CALUP Update. (Figure TRL-2 illustrates the Airport Influence Area and Safety Zones for the Tulare Municipal Airport – Mefford Field.)

Key provisions of the Tulare Municipal Airport-Mefford Field Master Plan that affect application of CALUP policies are: 1) Runway 13-31, currently 3,901 feet long, is proposed to be extended to the southeast to a total length of 5,000 feet; 2) Acquisition of approximately 33 acres of land in fee title and an additional 7 acres of avigation easements are intended to protect the runway extension and future runway protection zone; and 3) A 34 to 1 nonprecision approach is proposed for both ends of the runway. Because current Caltrans guidelines where used to develop the Supplemental Plan Amendment, none of the minor changes to ALUC policy since adoption of the Supplemental Plan Amendment cause any changes to the Airport Influence Area.




COUNTY OF TULARE CALIFORNIA

# TULARE MUNICIPAL AIRPORT- MEFFORD FIELD

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER SAFETY ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER SAFETY ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

MAGNETIC NORTH 14°26.25'E (2004)

TRUE NORTH

0 2,000 1,000 3,000

GRAPHIC SCALE IN FEET

NOTE:

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| | |
|---|---|
| TULARE MUNICIPAL AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | TLR-2 |

Land use controls within the Tulare Municipal Airport Influence Area are based upon the City of Tulare General Plan and Zoning Ordinance, which applies to the incorporated areas, and the Tulare County General Plan and Zoning Ordinance, which applies to the unincorporated areas.

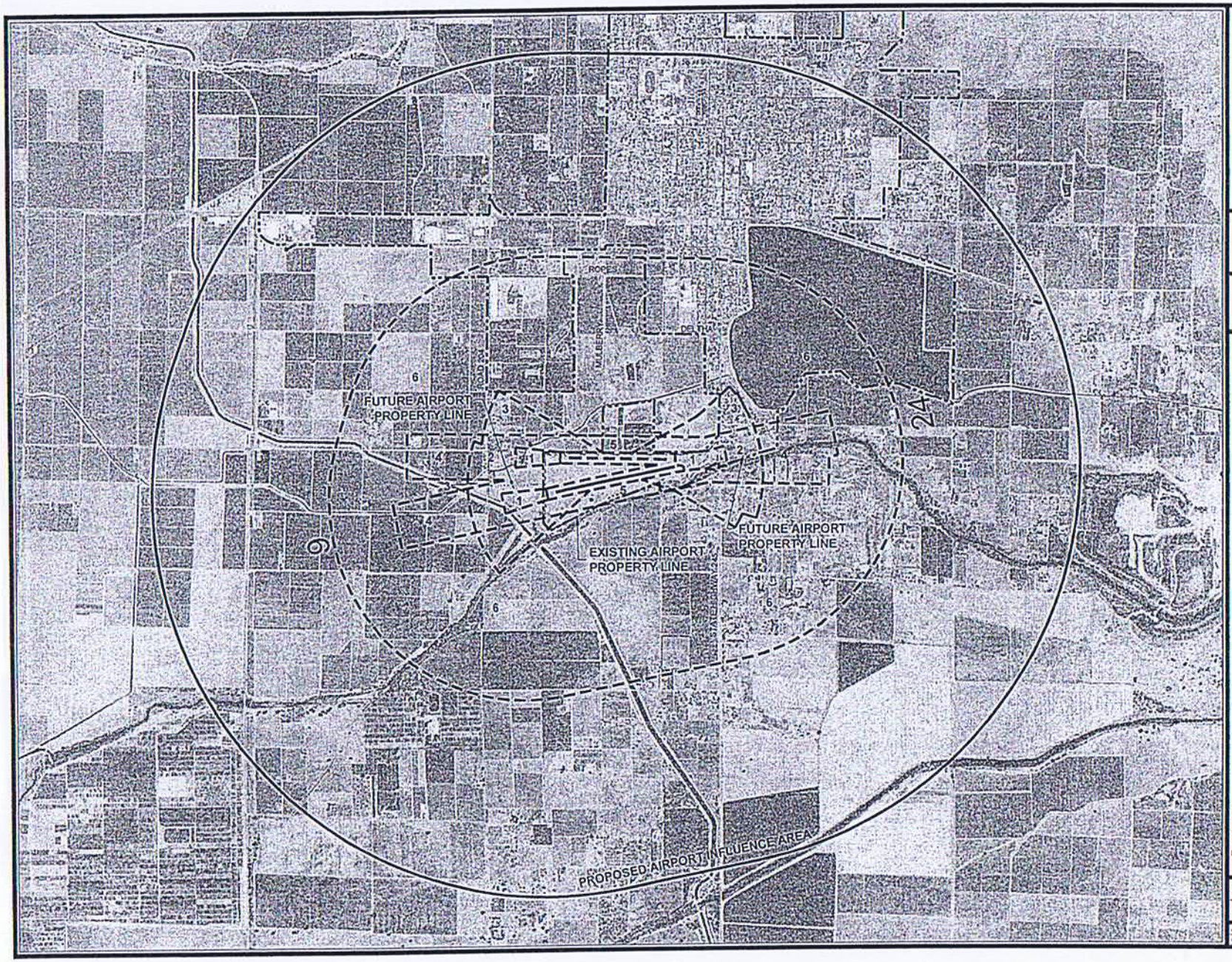
County areas affected by ALUC Safety Zone policies are primarily agricultural land uses. Agricultural land uses are generally compatible uses except in Safety Zones 1 and 5. Safety Zone 1 would be protected by avigation easements and none of the County areas are affected by Safety Zone 5. County areas outside the Safety Zones, but within the Airport Influence Area, are predominantly agricultural land uses. These areas are primarily affected by ALUC height control policies and agricultural land uses are fully compatible.

City areas affected by ALUC Safety Zone policies are predominantly industrial land uses with scattered areas of commercial and agricultural uses. Industrial uses are generally compatible with ALUC Safety Zone policies, although restrictions apply to above-ground storage of hazardous materials and the creation of fumes, smoke, electrical interference or other events that might interfere with aircraft safety. Commercial uses are found primarily in Safety Zone 3, which allows most types of retail and service commercial uses, subject to ALUC limitations on the concentration of persons per gross acre. City areas outside the Safety Zones, but within the Airport Influence Area are primarily subject to ALUC height control policies, as well as overflight, and infill policies. Land use consists of three distinct areas – agricultural uses to the northwest, industrial uses to the north and a mix of residential and commercial uses to the northeast. All of these uses are considered compatible with ALUC policies.

**Woodlake Municipal Airport.** The Airport Master Plan for Woodlake Municipal Airport was updated in 2008. Caltrans, Division of Aeronautics approved use of the refined Airport Layout Plan as the basis for applying CALUP policies. Key provisions of the Master Plan and Airport Layout Plan that affect CALUP policies are: 1) Runway 7-25, currently 2,203 feet long, is proposed to be realigned to the south and reoriented to become Runway 6-24 with a length of 2,730 feet; and 2) Approximately 23 acres of land are to be acquired to the east and west for the recommended realignment and future runway protection zones. The runway realignment presents a situation where the ALUC must maintain height, safety, noise and overflight protections for the existing runway alignment while also protecting the long-range airport master plan recommendations for a realigned and extended runway. (Figure WDL-2 illustrates the Airport Influence Area and Safety Zones for the Woodlake Municipal Airport.)

Land use controls within the Woodlake Municipal Airport Influence Area are based upon the City of Woodlake General Plan and Zoning Ordinance, which applies to the incorporated areas, and the Tulare County General Plan and Zoning Ordinance, which applies to the unincorporated areas.

Most of the lands within the Woodlake Municipal Airport Influence Area are located in Tulare County and consist of agricultural uses. These agricultural uses are generally compatible with ALUC height, safety and noise policies. Specific limitations apply to agricultural uses in Safety Zone 1, which is expected to be protected by avigation easements, and in Safety Zone 5, most of which is located within the airport boundary. A small area identified as rural residential is located within Safety Zone 3. Generally ALUC




COUNTY OF TULARE
VISALIA, CALIFORNIA

# WOODLAKE MUNICIPAL AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FUTURE SAFETY ZONE |
| | EXISTING PROPERTY LINE |
| | FUTURE PROPERTY LINE |
| | CITY LIMITS BOUNDARY |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
15°E(2003)

0 1,000 2,000
500 1,500
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

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| | |
|---|---|
| WOODLAKE MUNICIPAL AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | WDL-2 |

Safety Zone policies would prohibit residential uses in Safety Zone 3 due to relatively high accident potential. Since this use is already established it would not be affected by ALUC policy unless the use is changed.

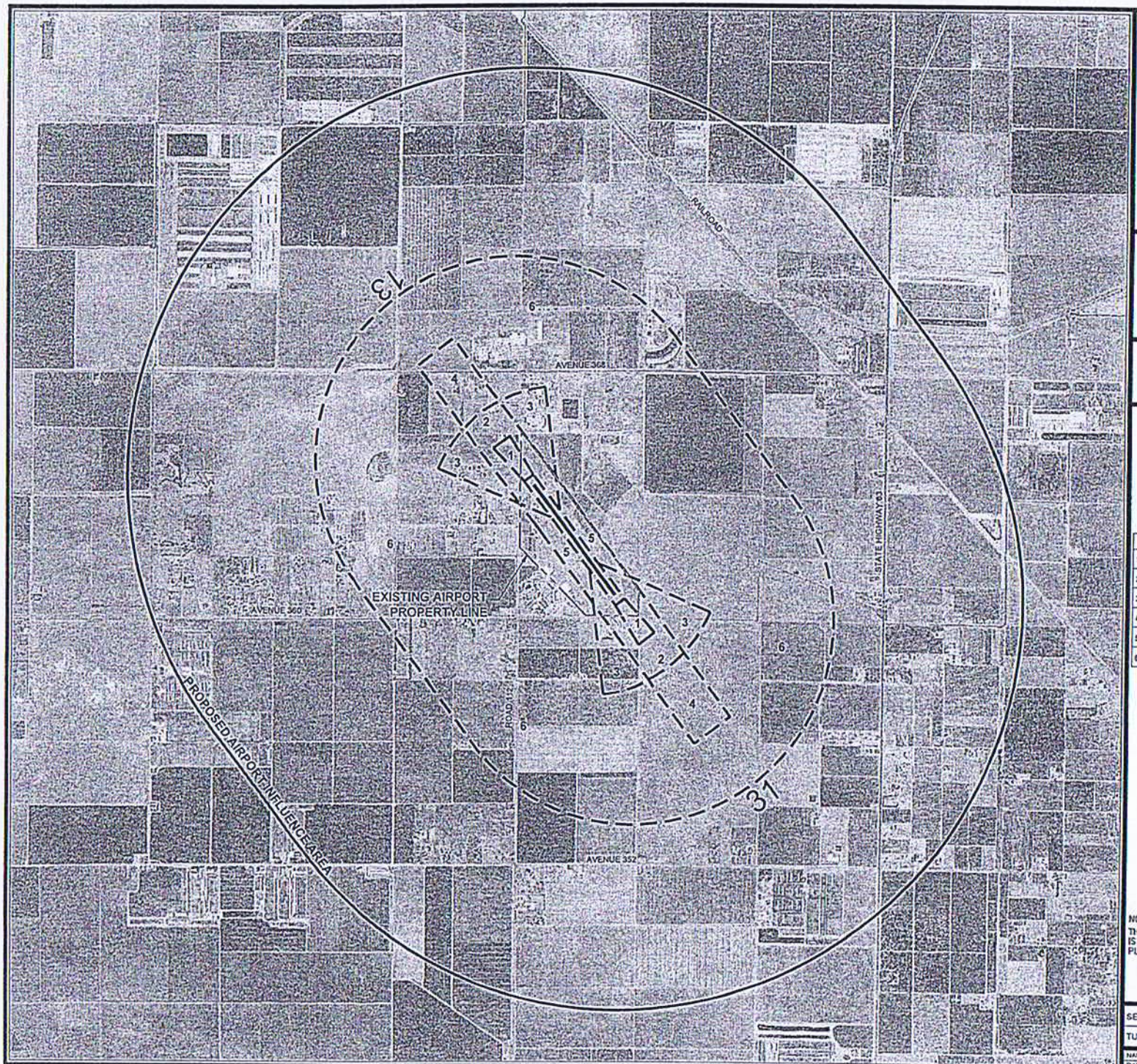
A large portion of the City of Woodlake is located within the Airport Influence Area, but outside the ALUC Safety Zones. These areas would be affected by ALUC height control policies, as well as overflight and infill policies. An additional area within the City of Woodlake, consisting of a mix of residential and commercial uses, are located in Safety Zones 2, 3, 4 and 6. ALUC Safety Zone policies prohibit residential uses in Safety Zones 2, 3 and 4 due to relatively high accident potential. Some of these residential areas would be exposed to the additional risk only as a result of reorienting the runway. Since these residential uses are already established they would not be affected by ALUC policy unless the use is changed. Single family residential development is compatible with ALUC policy for Safety Zone 6, if aircraft noise is below 60 dB CNEL, as is the case for these areas.

**Sequoia Field.** There is no Airport Master Plan for Sequoia Field; however, an updated Airport Layout Plan was prepared in 2010. The Caltrans, Division of Aeronautics, has approved use of the Airport Layout Plan as the basis for the CALUP. No major improvements are currently planned for Sequoia Field. The Airport Influence Area, areas affected by FAR Part 77 height controls, and overflight areas associated with Sequoia Field remain as currently adopted by the ALUC. (Figure SEQ-2 illustrates the Airport Influence Area and Safety Zones for Sequoia Field.) Implementation of Caltrans guidance regarding safety zones will reduce the size of the safety zones previously adopted by the ALUC. Small general aviation aircraft, agricultural aircraft and occasionally larger aircraft use Sequoia Field.

Land use in the Sequoia Field Airport Influence Area is primarily agricultural with scattered rural residential dwellings. Land use controls for this area are provided by the Tulare County General Plan and Zoning Ordinance.

Approximately 18 acres in the southwest corner of the Airport are currently occupied by the Tulare County Sheriff's Department Vocational Training and Adult Correctional Center. Most of the structures used by the Sheriff's Department are listed on the National Registry of Historic Places and the California Register of Historic Resources. The institutional housing within the Correctional Center is not consistent with ALUC policies pertaining to public safety, however, since this use is already established it is not affected by ALUC policy unless the use is changed.

**Exeter Airport.** There is no Airport Master Plan or Airport Layout Plan for this Airport. The Caltrans, Division of Aeronautics, has approved the use of an existing facilities drawing as the basis for policies in the CALUP. No major improvements are currently planned for Exeter Airport. The Airport Influence Area, areas affected by FAR Part 77 height controls, and overflight areas associated with Exeter Airport remain as currently adopted by the ALUC. (Figure EXE-2 illustrates the Airport Influence Area and Safety Zones for Exeter Airport.) Implementation of Caltrans guidance regarding safety zones will reduce the size of the safety zones previously adopted by the ALUC. No aircraft noise exposure contours are available for Exeter Airport. Since aircraft operations average about one per day, the 60




COUNTY OF TULARE
CALIFORNIA

# SEQUOIA FIELD AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONE |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH
MAGNETIC NORTH
13°26' E (2009)

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

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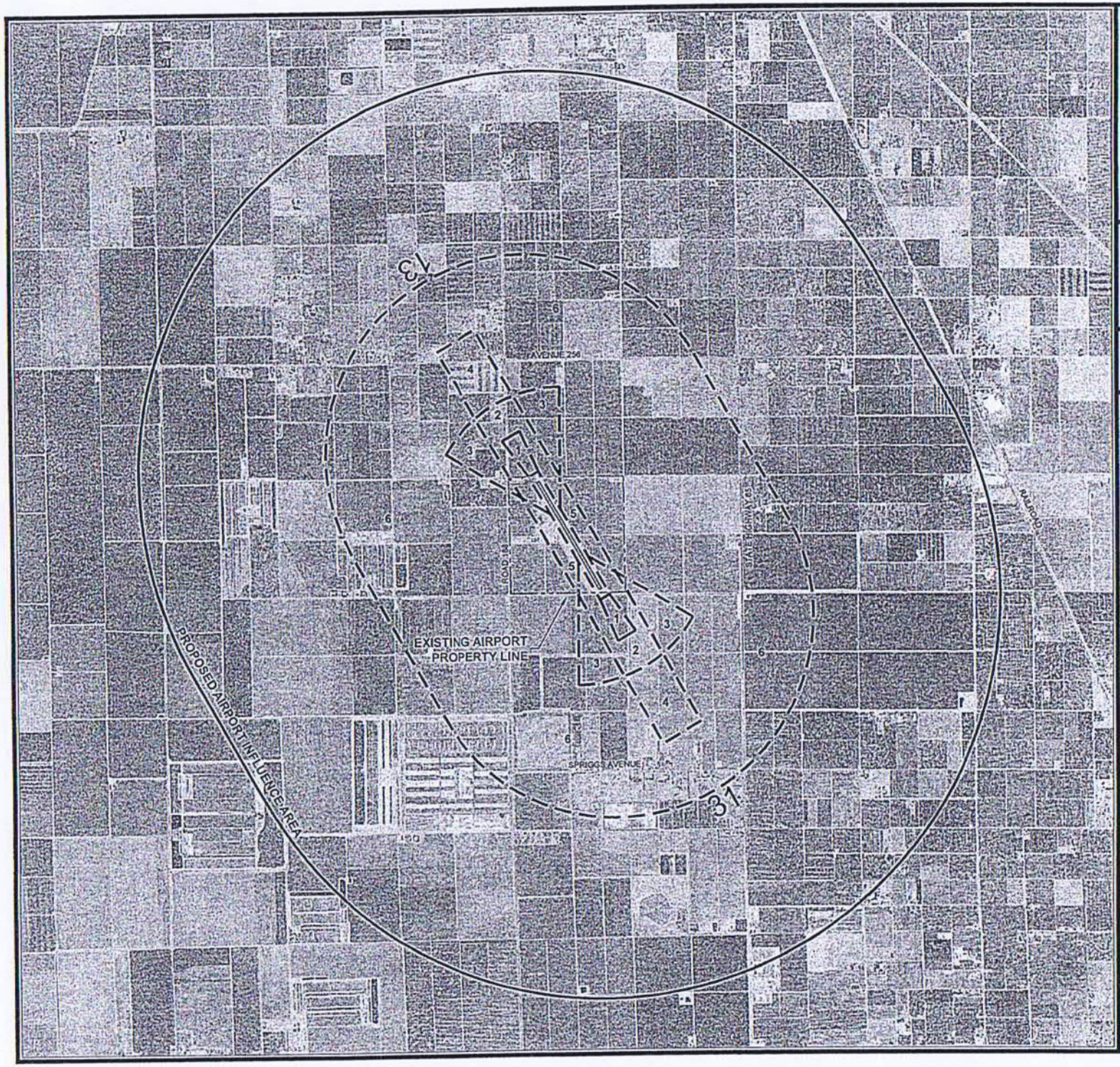
| | |
|---|---|
| SEQUOIA FIELD AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | SEQ-2 |
| NAME: D86-02 Runway Safety Area.dwg | I.D. 4450.05 |
| DATE: 09-27-2012 | PLOT SCALE 1"= 3,000' |




COUNTY OF TULARE
CALIFORNIA

# EXETER AIRPORT

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER SAFETY ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER SAFETY ZONE |
| 5 | SIDELINE SAFETY ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH

MAGNETIC NORTH
14°26.25'E (2004)

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
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| | |
|---|---|
| EXETER AIRPORT | FIGURE |
| TULARE COUNTY, CALIFORNIA | EXE-2 |
| NAME: 063-07-Runway Safety Azes.dwg | NO: 4490-05 |
| DATE: 09-27-2012 | PLOT SCALE 1"= 3,000' |

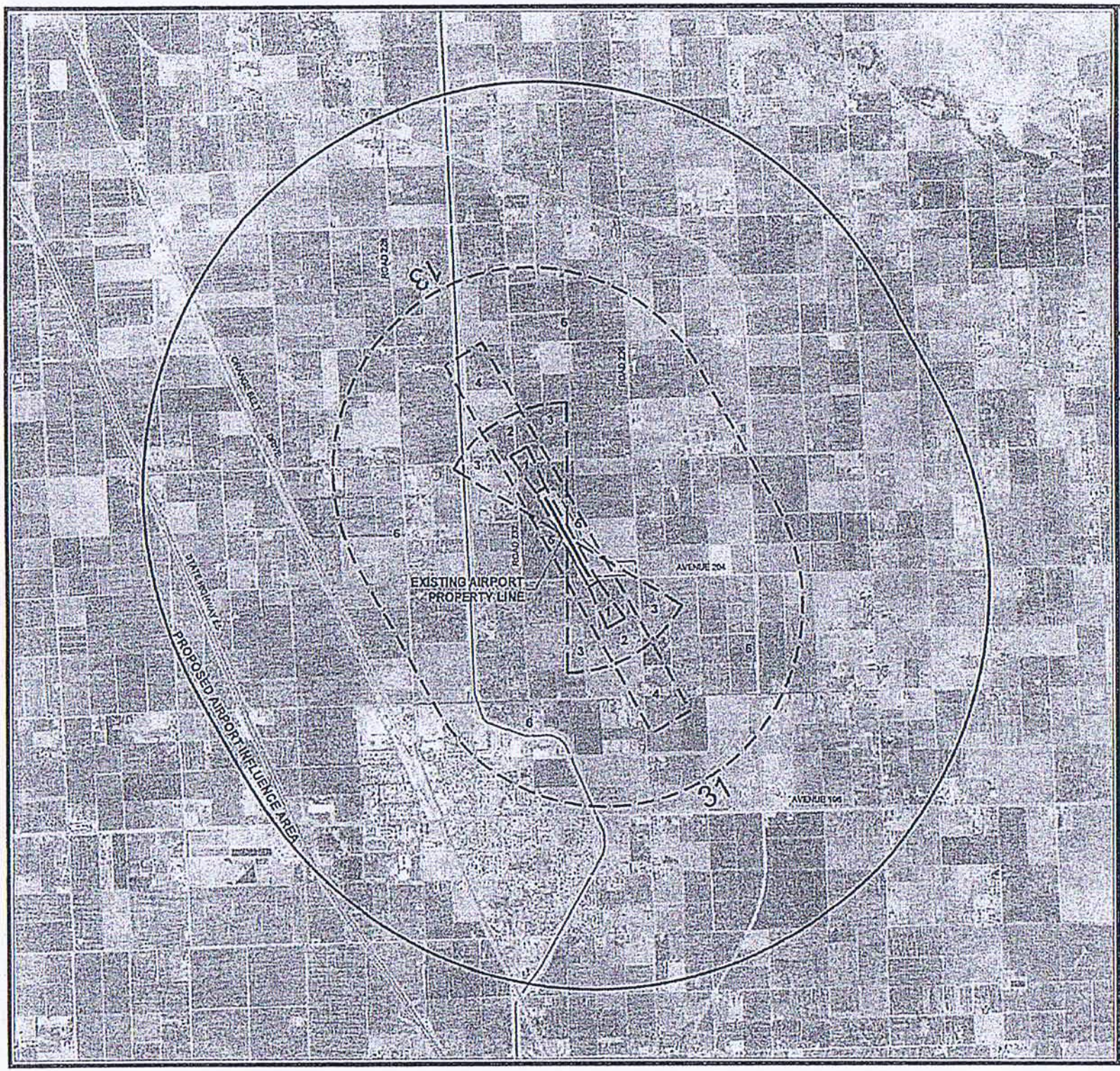
and 65 dB CNEL aircraft noise exposure contours would likely not extend beyond the airport property.

Land use controls within the Exeter Airport Influence Area are provided by the Tulare County General Plan and Zoning Ordinance. Land uses are almost exclusively agricultural in nature with scattered rural residential dwellings. Such uses are generally compatible with ALUC height, safety, noise and overflight policies.

**Eckert Field.** There is no Airport Master Plan or Airport Layout Plan for Eckert Field. The Caltrans, Division of Aeronautics, has approved use of an existing facilities drawing as the basis for policies in the CALUP. No major improvements are currently planned for Eckert Field. The Airport Influence Area, areas affected by FAR Part 77 height controls, and overflight areas associated with Eckert Field remain as currently adopted by the ALUC. (Figure ECK-2 illustrates the Airport Influence Area and Safety Zones for Eckert Field.) Implementation of Caltrans guidance regarding safety zones will reduce the size of the safety zones currently adopted by the ALUC. No aircraft noise exposure contours are available for Eckert Field. Since aircraft operations average about 10 per day, the 60 and 65 dB CNEL aircraft noise exposure contours would likely not extend beyond the airport property.

Land use controls are provided by the Tulare County General Plan and Zoning Ordinance. Land use throughout the Eckert Field Airport Influence Area is primarily agricultural, although the unincorporated community of Strathmore is located southwest of the Airport. The agricultural land uses are fully compatible with ALUC policy, except in the newly designated Safety Zones 1 and 5. Since these agricultural uses are already established they would not be affected by ALUC policy unless the use is changed. In the community of Strathmore, several small residential areas are located within Safety Zone 6 some of which are identified as two-family and multi-family areas. Single family residential units are compatible with ALUC policies for Safety Zone 6, but not multi-family. Since these uses are already established they would not be affected by ALUC policy unless the use is changed. Virtually the entire remainder of the Strathmore community lies outside the ALUC Safety Zones, but within the Airport Influence Area. This area is subject to ALUC height control and overflight policies.

10. **Other public agencies whose approval is required:** Under Section 21675(d) of the California Public Utilities Code the ALUC is required to submit a copy of any plan amendment to the California Department of Transportation (Caltrans), Division of Aeronautics for their review. Each community owning, or affected by Tulare County's public-use airports, each of which assists the ALUC in implementing the various land use restrictions, will be requested to review and comment on the CALUP Update and this environmental analysis document.




COUNTY OF TULARE
CALIFORNIA

# ECKERT FIELD

## SAFETY ZONES

| LEGEND | |
|---|---|
| SYMBOLS | TEXTS |
| | FAR PART 77 |
| | SAFETY ZONES |
| | NOISE CONTOUR |
| | EXISTING PROPERTY LINE |

| LEGEND | |
|---|---|
| 1 | RUNWAY PROTECTION ZONE |
| 2 | INNER APPROACH/DEPARTURE ZONE |
| 3 | INNER TURNING ZONE |
| 4 | OUTER APPROACH/DEPARTURE ZONE |
| 5 | SIDELINE ZONE |
| 6 | TRAFFIC PATTERN ZONE |

TRUE NORTH | MAGNETIC NORTH 15°E(2003)

0 2,000
1,000 3,000
GRAPHIC SCALE IN FEET

NOTE:
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| | |
|---|---|
| ECKERT FIELD<br>TULARE COUNTY, CALIFORNIA | FIGURE<br>ECK-2 |
| NAME: 101403-Runway Safety Areas.dwg \| NO: 448805 | |
| DATE: 04-17-2012 \| PLOT SCALE: 1"=3,000' | |

## ENVIRONMENTAL CHECKLIST FORM – continued

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant" impact as indicated by the checklist on the following pages. Each of the items identified as "Potentially Significant" are discussed further in the section entitled "**DISCUSSION OF ITEMS CHECKED AS 'POTENTIALLY SIGNIFICANT'**"

| | | | | | |
|---|---|---|---|---|---|
| [ ] | Aesthetics | [ ] | Agriculture Resources | [ ] | Air Quality |
| [ ] | Biological Resources | [ ] | Cultural Resources | [ ] | Geology /Soils |
| [ ] | Greenhouse Gas Emissions | [X] | Hazards and Hazardous Materials | [ ] | Hydrology / Water Quality |
| [X] | Land Use / Planning | [ ] | Mineral Resources | [X] | Noise |
| [ ] | Population / Housing | [ ] | Public Services | [ ] | Recreation |
| [X] | Transportation/Traffic | [ ] | Utilities and Service Systems | [ ] | Mandatory Findings of Significance |

### DETERMINATION

On the basis of this initial evaluation:

[ ] I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

[X] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

[ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

[ ] I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

[ ] I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature M Garcia-Lobue Date 10/9/12

Printed Name JASON GARCIA-LOBUE For TULARE COUNTY

## ENVIRONMENTAL CHECKLIST FORM – continued

## EVALUATION OF ENVIRONMENTAL IMPACTS:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| I. AESTHETICS -- Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | [ ] | [ ] | [ ] | [X] |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | [ ] | [ ] | [ ] | [X] |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | [ ] | [ ] | [ ] | [X] |

(a-c) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues that may be associated with the seven public-use airports located in Tulare County. Policies that maintain low density development in safety compatibility zones and height controls throughout each Airport Influence Area are considered as having a beneficial impact on scenic resources. Therefore, the CALUP Update would result in no impacts to resources I. a-c.

| | | | | |
|---|---|---|---|---|
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | [ ] | [ ] | [ ] | [X] |

Response: The CALUP Update maintains existing ALUC safety policies pertaining to light or glare. These policies are applied throughout Safety Zones 1-6 at each Airport and are enforced through avigation easements. The applications of these policies are considered as having a beneficial impact on light or glare issues. Therefore, the CALUP Update would result in no impacts to this resource.

| | | | | |
|---|---|---|---|---|
| II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | [ ] | [ ] | [ ] | [X] |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | [ ] | [ ] | [ ] | [X] |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | [ ] | [ ] | [ ] | [X] |

(a-c) Response: Agricultural uses, including lands subject to Williamson Act contracts, make up a substantial percentage of each Airport Influence Area. Agricultural uses are fully compatible with the Tulare County ALUC public safety and aircraft noise policies as they allow for open areas in the

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

event of an aircraft accident and provide a very low density of residential uses. ALUC policies are considered as having a beneficial impact for maintaining agricultural resources. Therefore, the CALUP Update would result in no impacts to these resources.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

| | | | | |
|---|---|---|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | [ ] | [ ] | [ ] | [X] |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | [ ] | [ ] | [ ] | [X] |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | [ ] | [ ] | [ ] | [X] |
| d) Expose sensitive receptors to substantial pollutant concentrations? | [ ] | [ ] | [ ] | [X] |
| e) Create objectionable odors affecting a substantial number of people? | [ ] | [ ] | [ ] | [X] |

(a-e) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues and in and of itself does not result in new development. None of the proposed ALUC policies would have any direct affect upon air quality, but may have a beneficial indirect affect by maintaining low residential densities within each Airport Influence Area. Therefore, the CALUP Update would result in no impacts to these resources.

IV. BIOLOGICAL RESOURCES -- Would the project:

| | | | | |
|---|---|---|---|---|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | [ ] | [ ] | [ ] | [X] |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | [ ] | [ ] | [ ] | [X] |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | [ ] | [ ] | [ ] | [X] |

## ENVIRONMENTAL CHECKLIST FORM – continued

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | [ ] | [ ] | [ ] | [X] |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | [ ] | [ ] | [ ] | [X] |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | [ ] | [ ] | [ ] | [X] |

(a-f) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues and produces no new development. Policies that maintain low density development in safety compatibility zones and throughout the Airport Influence Areas are considered as having a beneficial impact on biological resources. All future development projects within the respective airport influence areas would be subject to ALUC policies and will need to comply with CEQA. Therefore, the CALUP Update would result in no impacts to these resources.

V. CULTURAL RESOURCES -- Would the project:

| | | | | |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations (CCR) §15064.5? | [ ] | [ ] | [ ] | [X] |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5, CCR? | [ ] | [ ] | [ ] | [X] |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | [ ] | [ ] | [ ] | [X] |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | [ ] | [ ] | [ ] | [X] |

(a-d) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues and generally affect no cultural resources. However, at the Sequoia Field Airport the Tulare County Sheriff's Department Vocational Training and Adult Correctional Center is located adjacent to operational areas of the Airport. Structures in the Correctional Center complex and portions of the airfield are part of the Sequoia Field Historical District and are listed on the National Registry of Historic Places and the California Register of Historic Resources. The current use of some historic structures for housing is not consistent with ALUC policies pertaining to public safety. However, since this use is already established it is not affected by ALUC policy unless the use is changed. Therefore, the CALUP Update would result in no impacts to these resources.

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | [ ] | [ ] | [ ] | [X] |
| ii) Strong seismic ground shaking? | [ ] | [ ] | [ ] | [X] |
| iii) Seismic-related ground failure, including liquefaction? | [ ] | [ ] | [ ] | [X] |
| iv) Landslides? | [ ] | [ ] | [ ] | [X] |
| b) Result in substantial soil erosion or the loss of topsoil? | [ ] | [ ] | [ ] | [X] |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | [ ] | [ ] | [ ] | [X] |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | [ ] | [ ] | [ ] | [X] |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | [ ] | [ ] | [ ] | [X] |

(a-e) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any direct affect upon geology or soils. The project will not involve any new development. All future development projects within each respective Airport Influence Area would be subject to ALUC policies and require environmental review and compliance with CEQA. Therefore, the CALUP Update would result in no impacts to these resources.

VII. GREENHOUSE GAS EMISSIONS --
Would the project:

| | | | | |
|---|---|---|---|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | [ ] | [ ] | [ ] | [X] |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | [ ] | [ ] | [ ] | [X] |

(a-b) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any direct affect upon greenhouse gas emissions. The project does not result in any new development. All future development projects within each respective Airport Influence Area would be subject to ALUC policies and require environmental review and compliance with CEQA. Therefore, the CALUP Update would result in no impacts to these resources.

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | [ ] | [ ] | [ ] | [X] |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | [ ] | [ ] | [ ] | [X] |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | [ ] | [ ] | [ ] | [X] |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | [ ] | [ ] | [ ] | [X] |

(a-d) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. Some proposed policies affect the future location of facilities where hazardous materials are transferred, stored, or disposed. Fuel storage and other hazardous materials would be prohibited in Safety Zones 1 and 5 and above-ground storage of all hazardous materials including fuels would be limited to 2,000 gallons at a single site in all other Safety Zones. Properties not in compliance with this policy would be affected only if the current use is expanded or changed. No new impacts are created. Therefore, the CALUP Update would result in no impacts to these resources.

| | | | | |
|---|---|---|---|---|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | [ ] | [ ] | [X] | [ ] |

Response: Tulare County ALUC safety policies address safety in the air through building height restrictions and safety on the ground through land use restrictions within safety compatibility zones. Both sets of safety policies are discussed below:

***Safety in the Air*** – Safety in the air is primarily addressed by limiting the height of objects within the Airport Influence Area and by limiting visual, electronic, and other hazards along aircraft approach and departure corridors. ALUC policy adopts FAA's Federal Aviation Regulations (FAR) Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, as the primary basis for height restriction policy. FAR Part 77 establishes a set of imaginary surfaces, the sizes and shapes of which are defined through procedures set forth in FAR Part 77. Each airport has a unique set of FAR Part 77 surfaces. Objects (including trees) that penetrate these imaginary surfaces have the potential to be a hazard to air navigation and thus affect safety in the air. FAR Part 77 surfaces applicable to each airport are described below.

- *Primary Surface* – A surface longitudinally centered on a runway. This surface is usually within the boundaries of an airport.
- *Approach Surfaces* – A trapezoidal shaped surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end. Height limitations are most restrictive under the approach surfaces.
- *Transitional Surfaces* – These surfaces extend outward and upward at right angles to the runway centerlines and the extended runway centerline at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces. Height limitations are most restrictive in areas along and adjacent to each runway.
- *Horizontal Surface* – A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii, from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.
- *Conical Surface* – A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet. The ALUC employs the outer edge of the conical surface as the limits of each Airport Influence Area, unless aircraft noise compatibility zones project to areas outside the conical surface.

In addition to the imaginary surfaces established for all airports under FAR Part 77, there are additional imaginary surfaces along selected aircraft approach and departure paths where the FAA has established instrument approach and/or departure procedures using FAA Order 8260.3B, "*United States Standard for Terminal Instrument Procedures*" (TERPS). These TERPS criteria are also used to conduct obstacle evaluations for instrument operations. At a given airport, elevations established through TERPS procedures may be at, above, or below the elevations established through FAR Part 77. The following airports in Tulare County have published instrument approach and/or departure procedures:

- Visalia Municipal Airport
- Porterville Municipal Airport
- Tulare Municipal Airport – Mefford Field

Height controls generally are enforced through zoning, but as applied to the airport, may also be referenced more generally in the respective Community's General Plan. The ALUC relies on the owner/sponsor cities and County government to implement the height restriction policies as a part of the development review process. It should also be noted that as one of the stipulations for receiving airport development funds, the FAA obligates airport sponsors/owners to protect the airspace surrounding their airport through application of appropriate land use controls - zoning and planning. Exeter Airport and Eckert Field allow public access but are privately owned and therefore not eligible for federal airport development funds. Therefore, the County receives no funding for these airports and thus has no federal obligation through funding to maintain height controls. However, the California Airport Approaches Zoning Law, which serves as the basis for County and local regulation of height restrictions around airports, is not limited to publicly owned airports and allows for the application of approaches zoning restrictions to airports that are "utilized or to be utilized in the interest of the public".

To achieve consistency with the ALUC CALUP Update, local and County zoning ordinances need to include a representation of the ALUC height control policies, either directly, or by specific reference. As a substitute, references to FAR Part 77, the adopted airport master plan, or where available the FAA approved airport layout plan would also serve notice regarding special height restrictions associated with an airport, since these provide the basis for ALUC policies. The inclusion of such references also provides evidence that the sponsor/owner is attempting to meet its FAA funding obligations, when applicable.

Based on a review of available planning and zoning documents the following table provides a summary of the impacts of ALUC policy with respect to County and local height controls.

**Status Regarding Implementation of Height Controls Consistent with ALUC Policies**

| Current Height Control Policies | Impacts of Proposed ALUC Policy | Suggested Mitigation |
|---|---|---|
| **Tulare County.**<br><br>The Ordinance Code of Tulare County, Part VII, Chapter 13, "Airport Zoning Regulations" implements the California Airport Approaches Zoning Law, which provides limits to the height of structures and trees in specifically defined zones. The ordinance is currently based on the same zones used by the ALUC in the 1995 CALUP. The County's Airport Zoning Map is established through this ordinance. The Airport Zoning Map currently consists of Parts 1-4 applicable to the airports at Porterville, Tulare, Visalia and Woodlake, respectively. Height restrictions within the established zones are defined within the Airport Zoning Map. | The Tulare County "Airport Zoning Regulations" are not consistent with the proposed CALUP Update for several reasons:<br><br>▪ The ordinance is based on the ALUC's 1995 CALUP.<br><br>▪ It is unclear from the ordinance whether or not the Airport Zoning Map has been maintained through amendment to reflect the height limits established by the named communities in their respective more recently adopted Airport Master Plans or FAA approved Airport Layout Plans.<br><br>▪ There are no references to height controls imposed through TERPS procedures.<br><br>▪ ALUC height control policy also applies to Tulare County areas surrounding Sequoia Field, Exeter Airport and Eckert Field none of which are identified in the ordinance.<br><br>▪ Some terminology and definitions employed in the ordinance are not consistent with proposed ALUC policy, or with FAA's established height control standards expressed in FAR Part 77 and FAA Order 8260.3B. | The impacts could be mitigated and consistency achieved in several ways:<br><br>1. The "Airport Zoning Regulations" Ordinance and the Airport Zoning Map could be amended to be consistent with ALUC policy for the airports at Porterville, Tulare, Visalia and Woodlake and the ordinance code and map could be expanded to include Sequoia Field, Exeter Airport and Eckert Field. These new regulations would also include references to TERPS.<br><br>2. Alternatively, to reduce the need for continuing amendment, the ordinance code and map could be made more dynamic and consistent by incorporating through a generic reference to the most recently adopted Airport Master Plans, together with FAA's "Approved" or "Conditionally Approved" Airport Layout Plans, FAR Part 77 and FAA Order 8260.3B. For the Sequoia Field, Exeter Airport and Eckert Field Airports it may be necessary to reference Caltrans approved airport planning documentation and ALUC policies as a substitute for FAA approved documentation. |

| Current Height Control Policies | Impacts of Proposed ALUC Policy | Suggested Mitigation |
|---|---|---|
| **City of Visalia**<br><br>The City of Visalia Zoning Ordinance, Chapter 17.50, "Airport Zoning," implements the Airport Approaches Zoning Law of the State of California. The ordinance specifically references and adopts the Airport Zoning Map of the County of Tulare as the basis for establishing the height control zones and allowed heights, which means that the zones and allowed heights are the same as used by the ALUC in the 1995 CALUP. | Consistency issues associated with the Tulare County Airport Zoning Map (as noted above) are relevant to the City of Visalia since the County Map is incorporated in the City's ordinance by reference.<br><br>Some terminology and definitions employed in the ordinance are not consistent with proposed ALUC policy, with FAA's established standards, or the Visalia Municipal Airport Master Plan. Some elements of the City ordinance are copied from the Tulare County Ordinance and appear to be irrelevant to the Visalia Municipal Airport. | If the County "Airport Zoning Regulations" ordinance is amended as suggested above, the City may only need to make minor amendments to correct terminology and definitions, since the ordinance references and adopts the County Airport Zoning Map.<br><br>Alternatively, the City could develop its own height controls by incorporating by reference the most recently adopted Airport Master Plan, together with FAA's "Approved" or "Conditionally Approved" Airport Layout Plan, FAR Part 77 and FAA Order 8260.3B. |
| **City of Porterville**<br><br>The City of Porterville has established the "Airport Environs (AE) Overlay District" (Chapter 500) within its zoning ordinance. The AE Overlay District ordinance provides a comprehensive set of compatibility guidelines for noise exposure, safety, aircraft overflight and airspace protection. The ordinance is generally based upon the most recent FAA-approved airport layout plan. Chapter 500.07, "Regulations for Airspace Protection" defines FAR Part 77 as the basis for height limitations. | For purposes of height control the City Ordinance is generally consistent with ALUC Policy in the CALUP Update. However, the Porterville Municipal Airport has several published instrument approach and departure procedures which are addressed by the ALUC, but not by the ordinance. | The height control portion of the ordinance should be amended to include references to FAA Order 8260.3B "*United States Standard for Terminal Instrument Procedures*" (TERPS) in addition to FAR Part 77 as the basis for height limitations to protect the published instrument approach and departure procedures. |
| **City of Tulare**<br><br>Under Chapter 10.100, entitled "Airport", the City of Tulare has created a combining district to implement the California Airport Approaches Zoning Law. The Airport Zoning Map established under the ordinance delineates the different zones associated with the Airport Combining District. These zones appear to be based on the most recently adopted Airport | For purposes of height control the City Ordinance is generally consistent with ALUC Policy in the CALUP Update. However the ordinance is not clear as to the underlying source of the height limits. The Tulare Municipal Airport – Mefford Field has several published instrument approach and departure procedures which are | For the purpose of resolving any future conflicts over allowed heights the City ordinance should be amended to reference FAR Part 77 and the adopted Airport Master Plan as the underlying source of the height limits. Additionally, FAA Order 8260.3B "*United States Standard for Terminal Instrument Procedures*" (TERPS) should also be referenced as the basis for height |

| Current Height Control Policies | Impacts of Proposed ALUC Policy | Suggested Mitigation |
|---|---|---|
| Master Plan and utilize Caltrans recommended safety zone configuration for the zone boundaries. | addressed by the ALUC, but not by the ordinance. | limitations to protect the published instrument approach and departure procedures. |
| **City of Woodlake**<br>The City of Woodlake has established an "AP" Airport zone (Chapter 17.52) as a service commercial, industrial and agricultural land use district encompassing the airport property. The purpose of the zone is to establish land use regulations for the airport property. | The airport is surrounded on three sides by the County making it difficult to implement any guidance regarding allowed heights other than that which is exclusive to the Airport property. Consequently, the ordinance implements height restrictions with respect to permitted and conditional uses, but does not implement or specifically refer to FAR Part 77 or any ALUC policies. Height controls beyond the airport boundary, but within the City are not addressed by the ordinance. Height controls beyond the airport boundary, but outside the City are generally affected by the Tulare County "Airport Zoning Regulations" discussed above. | To ensure compliance with its FAA funding obligations and to improve consistency with ALUC policies, the City should consider amending Chapter 17.52.060, "Height of Structures" to include an explicit reference to FAR Part 77 as the basis for height restrictions within the AP Zone and amend other parts of its ordinance to ensure that FAR Part 77 height restrictions are implemented throughout the City. |

***Safety on the Ground*** – As noted previously, since 1995, when the CALUP was last fully updated, Caltrans has refined their guidance pertaining to safety compatibility zones. Previously the ALUC used a surface projection of the FAR Part 77 imaginary surfaces to define safety zones. The CALUP Update employs Caltrans guidance found in the October 2011 edition of its publication *California Airport Land Use Planning Handbook*. The Caltrans safety zones are based upon considerable research of aircraft accident data as reported in the *Handbook*. Six safety zones are established as described below.

- ***Safety Zone 1, Runway Protection Zone*** - The Runway Protection Zone (RPZ) is a trapezoidal area located immediately off each end of a runway. This area is defined by FAA who recommends it be a part of the airport property due to its very high risk factors. Aircraft fly over this area at altitudes below 200 feet.
- ***Safety Zone 2, Inner Approach/Departure Zone*** – The Inner Approach/ Departure Zone is a rectangular area located along the extended runway centerline immediately beyond the RPZ. Aircraft fly over this area at altitudes between 200 and 400 feet above the runway elevation. This zone also has very high risk factors encompassing 30 percent to 50 percent of near-airport aircraft accident sites.
- ***Safety Zone 3, Inner Turning Zone*** – The Inner Turning Zone is a cone shaped zone which lies on either side of the Inner Approach/Departure Zone. The sides of this zone are defined by a 20 or 30 degree angle, depending upon runway length, measured from the runway centerline. The apex of the cone is located on the runway at a distance from the runway end that is also dependent upon runway length. This zone encompasses locations where arriving aircraft are typically turning from

the base to final approach legs of the standard traffic pattern and are descending from traffic pattern altitude or where departing aircraft normally complete the transition from takeoff power and flap settings to a climb mode and has begun to turn to their en route heading.

- ***Safety Zone 4, Outer Approach/Departure Zone*** – The Outer Approach/Departure Zone is a rectangular area, which lies immediately beyond the Inner Approach/Departure Zones along the extended runway centerline. Particularly applicable for runways with straight-in instrument approach procedures, and other runways where straight-in or straight-out flight paths are common. Approaching and departing aircraft are usually at less than traffic pattern altitude.
- ***Safety Zone 5, Sideline Zone*** – The Sideline Zone encompasses close-in areas lateral to the runway. These areas are typically within the airport property. The area is not normally over flown and the primary risk is from twin-engine aircraft losing directional control on takeoff.
- ***Safety Zone 6, Traffic Pattern Zone*** – The Traffic Pattern Zone is an oval shaped area centered on the extended runway centerline. This zone encompasses all other portions of the regular traffic patterns and pattern entry routes. This area generally has a low likelihood of accident occurrence at most airports, except where high concentrations of people present the potential for severe consequences.

The ALUC has reviewed the risks associated with each Safety Zone (as described by Caltrans in the *Handbook*) to establish a land use compatibility table applicable to Tulare County. The safety zones created by following Caltrans guidance affect a considerably smaller area than the safety zones previously established by the ALUC. Overall this is viewed as a beneficial impact because various restrictions are reduced or eliminated for many properties. An analysis of existing land use patterns at each of the public use airports indicates general consistency with Caltrans guidance in each of the revised Safety Zones proposed by the ALUC.

Future protections for safety on the ground are achieved through land use controls, including the General Plan and the Zoning Ordinance. To achieve consistency with the ALUC's CALUP Update, the general plan and/or the zoning ordinance need to include a representation of the ALUC land use control policies through mapping and related policies created by the community, or by specific reference either to ALUC policies (i.e., the 1995 CALUP or proposed 2012 CALUP Update) or to Caltrans guidance. Since the underlying Safety Zone structure was changed by the ALUC in the CALUP Update to be consistent with recent Caltrans guidance the community general plans and zoning need to be evaluated. The following table provides a summary of the impacts of proposed ALUC Safety on the Ground policies with respect to County and City general plans and zoning.

**Status Regarding Implementation of Land Use Controls Consistent with ALUC Safety on the Ground Policies**

| Current Safety on the Ground Policies | Impacts of Proposed ALUC Policy | Suggested Mitigation |
|---|---|---|
| **Tulare County.**<br>The County of Tulare Zoning Ordinance includes Section 14.1, "Airport Impact Zone" (also referred to as the "AP" zone). This ordinance implements land use policies for airport impact areas identified within the County | The land uses allowed by the Airport Impact Zone are consistent with ALUC policy in the proposed CALUP Update. However the zone boundaries designated in the General Plan will need to be changed to achieve | The impacts could be mitigated and consistency achieved by:<br>1. Amend the "Airport Zoning Regulations" Ordinance and the Airport Zoning Map to |

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| General Plan. The "AP" Zone is limited to service commercial, industrial and agricultural land uses that promote a harmonious relationship between airport activities and adjacent urban area land uses. Residential land uses are specifically restricted from the Airport Impact Zone. | consistency.<br><br>The ALUC land use control policies for safety on the ground also applies to Tulare County areas surrounding Sequoia Field, Exeter Airport and Eckert Field none of which are identified in the General Plan or AP Zone ordinance. | be consistent with ALUC policy for the airports at Porterville, Tulare, Visalia and Woodlake.<br><br>2. Further, amend the ordinance code and map to include Sequoia Field, Exeter Airport and Eckert Field.<br><br>3. Some notation needs to be added to General Plan text and/or mapping to indicate that the AP Zone boundaries have changed and where updated mapping can be found. When relevant elements of the General Plan are next updated the revised boundaries will need to be reviewed and adopted as part of that update. |
| **City of Visalia**<br><br>The City of Visalia Zoning Ordinance, Chapter 17.50.060 through 17.50.80, establishes an Airport Zone (AP) and provides a list of allowed land uses. These sections implement land use controls only within an area defined by the Visalia Airport Master Plan (i.e, the Airport boundary).<br><br>The City is updating its General Plan and on March 1, 2012 published a "Revised Preliminary Preferred Plan Concept and Policy Discussion Paper". Mapping in the Policy Paper indicates proposed "Airport Compatibility Zones". Land uses within these Airport Compatibility Zones are generally consistent with the ALUC policies in the CALUP Update. | The configuration of the Airport Compatibility Zones area identified in the City's Revised Preliminary Preferred Plan Concept and Policy Discussion Paper generally encompasses ALUC proposed Safety Zones 1, 2, 3 and 5, but only parts of Safety Zones 4 and 6.<br><br>Proposed low density residential areas, including an elementary school, located southeast of the Airport fall outside the City's Airport Compatibility Zones, but within the ALUC's Safety Zone 4. These areas are situated along the extended centerline of the runway and would be subjected to frequent aircraft overflights and potential safety risks. Based on Caltrans research 2 to 6 percent of near runway accidents happen in these areas.<br><br>In addition to being | The impacts could be mitigated and consistency achieved by:<br><br>1. In future iterations of its General Plan Update policies the City should address the inconsistencies between the boundaries of its Airport Compatibility Zones and the safety zones adopted by Tulare County ALUC and those recommended by Caltrans. |

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| | inconsistent with the ALUC's proposed Safety Zones, the City's Airport Compatibility Zones are inconsistent with those of Tulare County and those recommended by Caltrans. | |
| **City of Porterville**<br><br>The City of Porterville has established the "Airport Environs (AE) Overlay District" (Chapter 500) within its zoning ordinance. The AE Overlay District ordinance provides a comprehensive set of compatibility guidelines for noise exposure, safety, aircraft overflight and airspace protection. The ordinance is generally based upon the most recent FAA-approved airport layout plan. Chapter 500.06, "Regulations for Safety", sets forth the development standards for all development within 6 Airport Safety Zones. Map 500-2 defines the size of each respective safety zone.<br><br>The Land Use Element of the 2030 General Plan adopted by the City in 2008 generally shows low density agricultural land uses or industrial uses planned for areas surrounding the Airport. There are no policies in this Element that are exclusive to the Airport. | The Airport Safety Zones documented in the Porterville Airport Environs (AE) Overlay District zoning ordinance Map 500-2 are similar in character and associated restrictions, but different in size (generally smaller) to those established by the ALUC in the CALUP Update. The impact of this difference is that some areas that should be safety protected are not subject to the restrictions of the ordinance.<br><br>The differences in the size of the safety zones also implies that there may be inconsistencies with the safety zones defined in the Tulare County Zoning Ordinance (discussed above). | The size differences in the safety zones appear to be based on different interpretations of Caltrans safety zone guidance. These differences need to be reconciled by either changing the ALUC mapping or amending Map 500-2 in the City ordinance. |
| **City of Tulare**<br><br>The City's 2030 General Plan Update supports the safety zones defined by the ALUC in the CALUP Update. | The 2030 General Plan is consistent with ALUC safety zone policies in the proposed CALUP Update. | No mitigation measures are required. |
| **City of Woodlake**<br><br>The 2028 General Plan adopted by the City of Woodlake promotes airport-related land uses for the Airport proper. Since agriculture is the primary industry, the City is seeking to preserve agricultural land that lies outside the City planning area. In furtherance of this goal the City | The airport is surrounded on three sides by the County making it difficult for the City to implement any guidance other than that which is exclusive to the Airport property. However, areas within the City east of the Airport require safety | The City of Woodlake General plan should be amended to cite Caltrans guidelines or ALUC safety policies as affecting land use in City areas outside the Airport boundary.<br><br>Alternatively, the City's |

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| has requested the County to "upzone" areas surrounding the community so that larger parcels are retained for the future.<br><br>As noted earlier, the City has established an "AP" Airport zone the purpose of which is to establish land use regulations for the airport property. | protections along the extended runway centerline. Therefore the General Plan is not consistent with proposed ALUC policy regarding safety on the ground.<br><br>Since the City's adopted Airport Master Plan proposes a realignment of the runway at some future point in time there is need to protect both the existing safety areas (if the runway realignment is not implemented) and the future safety areas (to ensure that the realignment can be approved when funds become available).<br><br>Land use controls outside the City are dictated by the Tulare County General Plan and "Airport Zoning Regulations" discussed earlier. | zoning ordinance could be amended such that the "AP" Airport Zone becomes an overlay district with appropriate height and safety provisions included specifically or by reference.. |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | [ ] | [ ] | [ ] | [X] |

Response: The ALUC's mandate does not extend to private airports, unless they are operated as public access airports. The airports at Exeter and Eckert are privately owned, but open to the public and therefore ALUC policies apply in the respective Airport Influence Areas. The discussion of the ALUC's policies regarding safety hazards at these two airports is discussed under Item VII e) above. For other private airports in Tulare County the CALUP Update will result in no impacts to those resources.

| | | | | |
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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | [ ] | [ ] | [ ] | [X] |

Response: The CALUP Update is limited in scope to public safety and aircraft noise issues associated with each public use airport in Tulare County. Policies that maintain low density development in safety compatibility zones and height controls throughout each Airport Influence Area, both of which allow the associated airport to operate at its full potential, are considered as having a beneficial affect upon emergency response plans or emergency evacuation plans, particularly those plans that may require use of an airport to support the emergency. Therefore, the CALUP Update would result in no impacts to these resources.

| | | | | |
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| h) Expose people or structures to a significant risk of loss, | [ ] | [ ] | [ ] | [X] |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| injury or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | | |

Response: The CALUP Update is limited in scope to public safety and aircraft noise issues associated with each public use airport in Tulare County. Policies that maintain low density development in safety compatibility zones and height controls throughout each Airport Influence Area, both of which allow the associated airport to operate at its full potential, are considered as having a beneficial effect upon fighting wildland fires, particularly at those airports that support aerial firefighting equipment. Therefore, the CALUP Update would result in no impacts to these resources.

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| IX. HYDROLOGY AND WATER QUALITY -- Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | [ ] | [ ] | [ ] | [X] |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | [ ] | [ ] | [ ] | [X] |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | [ ] | [ ] | [ ] | [X] |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. | [ ] | [ ] | [ ] | [X] |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | [ ] | [ ] | [ ] | [X] |
| f) Otherwise substantially degrade water quality? | [ ] | [ ] | [ ] | [X] |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | [ ] | [ ] | [ ] | [X] |
| h) Place within a 100-year flood hazard area structures | [ ] | [ ] | [ ] | [X] |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| which would impede or redirect flood flows? | | | | |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | [ ] | [ ] | [ ] | [X] |
| j) Inundation by seiche, tsunami, or mudflow? | [ ] | [ ] | [ ] | [X] |

(a-j) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. Policies that maintain low density development in safety compatibility zones are considered as having a beneficial impact on water quality in those areas. Therefore, the CALUP Update would result in no impacts to these resources.

X. LAND USE AND PLANNING - Would the project:

| | | | | |
|---|---|---|---|---|
| a) Physically divide an established community? | [ ] | [ ] | [ ] | [X] |

Response: The CALUP Update is a forward-looking policy plan not a physical entity and does not divide an established community. Therefore, the CALUP Update would result in no impacts to these resources.

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| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | [ ] | [ ] | [ ] | [X] |

Response: Among the guidelines found in the Caltrans *Handbook* is a discussion of what constitutes consistency between a general plan and an ALUC's airport land use compatibility plan:

> Consistency does not require being identical. It means only that the concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the compatibility plan to which the comparison is being made. To be fully consistent with the compatibility plan, a general plan:
>
> - Must not have any direct conflicts with the compatibility plan; and
> - Must delineate a mechanism or process for ensuring that individual land use development proposals comply with ALUC criteria.

The analysis conducted in preparing this Initial Study determined that there a number of inconsistencies between the proposed CALUP Update and the General Plans and Zoning Ordinances of Tulare County and the affected cities. Some of these inconsistencies occur due to changes made by the ALUC in the size and shape of proposed safety zones. The ALUC's proposed safety zones are consistent with those defined in the Caltrans Handbook so further resolution of these inconsistencies appears to rest with the affected agencies. There are also inconsistencies between the County defined standards and controls and those defined by the affected cities with the result being discontinuity and mixed messages for development at the city-county boundaries. All of these inconsistencies appear to be resolvable through suggested mitigation measures and on the whole, the County, affected cities and the ALUC are all moving in the same direction to provide protection to the County's public use airports.

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | [ ] | [ ] | [ ] | [X] |

Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. None of the ALUC policies would have any direct affect upon any established habitat conservation plan or natural community conservation plan. However, the establishment of new habitat conservation areas in any of the Airport Influence Areas within which ALUC policies are applied would be viewed negatively if the protected species are known to affect aircraft safety. Therefore, the CALUP Update would result in no impacts to these resources.

XI. MINERAL RESOURCES -- Would the project:

| | | | | |
|---|---|---|---|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | [ ] | [ ] | [ ] | [X] |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | [ ] | [ ] | [ ] | [X] |

(a-b) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any direct affect upon mineral resources. Therefore, the CALUP Update would result in no impacts to these resources.

XII. NOISE -- Would the project result in:

| | | | | |
|---|---|---|---|---|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | [ ] | [ ] | [ ] | [X] |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | [ ] | [ ] | [ ] | [X] |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | [ ] | [ ] | [ ] | [X] |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | [ ] | [ ] | [ ] | [X] |

(a-d) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. Aircraft noise policies within the CALUP Update are intended to limit the exposure of people to excessive noise. Ambient noise levels are not affected by these policies. Therefore, the CALUP Update would result in no impacts to these resources.

| | | | | |
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| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project | [ ] | [ ] | [ ] | [X] |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| expose people residing or working in the project area to excessive noise levels? | | | | |

Response: The CALUP establishes Noise Restriction Areas based on noise standards described in the California Code of Regulations, Title 21, Subchapter 6. These standards designate the Community Noise Equivalent Level (CNEL) - a weighted average of sound levels gathered throughout a 24-hour period – as the standard noise metric. Under the California Noise Standards most residential uses are considered incompatible in areas exposed to noise at levels at or above 65 decibels (dB) CNEL. To establish noise restriction areas the ALUC uses the noise modeling results of the FAA Integrated Noise Model (INM).

FAA guidelines regarding the need for noise modeling suggest that airports with low levels of aircraft activity (annual aircraft operations less than 90,000) are unlikely to experience aircraft noise at levels at or above 65 decibels (dB) CNEL outside the boundary of the airport. Therefore, the ALUC did not establish Noise Restriction Areas for Sequoia Field, Exeter Airport, or Eckert Field. Based upon the ALUC's determination the CALUP Update would result in no impacts to these resources.

| | | | | |
|---|---|---|---|---|
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | [ ] | [ ] | [ ] | [X] |

Response: Exeter Airport and Eckert Field are both privately owned airports that are open to public use and as a result are subject to ALUC policies, including those pertaining to aircraft noise. At present, the low levels of aircraft operations at these airports suggest that noise levels exceeding the State of California Noise Standard of 65 dB CNEL occur within the airport boundary. Therefore, the ALUC has not established Noise Restriction Areas for these airports. Therefore, the CALUP Update would result in no impacts to these resources.

XIII. POPULATION AND HOUSING – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | [ ] | [ ] | [ ] | [X] |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | [ ] | [ ] | [ ] | [X] |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | [ ] | [ ] | [ ] | [X] |

(a-c) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. Policies that maintain low density development in safety compatibility zones, height controls throughout the Airport Influence Area, and noise attenuation in aircraft overflight areas are considered as having a beneficial affect upon population and housing issues. Therefore, the CALUP Update would result in no impacts to these resources.

XIV. PUBLIC SERVICES – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered | [ ] | [ ] | [ ] | [X] |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| i) Fire protection? | [ ] | [ ] | [ ] | [X] |
| ii) Police protection? | [ ] | [ ] | [ ] | [X] |
| iii) Schools? | [ ] | [ ] | [ ] | [X] |
| iv) Parks? | [ ] | [ ] | [ ] | [X] |
| v) Other public facilities? | [ ] | [ ] | [ ] | [X] |

Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any direct affect upon public services. Policies that maintain low density development in safety compatibility zones are considered as having a beneficial affect on public service demands. The State Aeronautics Act of the California Public Utilities Code discourages locating schools within two miles of a public use airport. The CALUP Update is consistent with this law. Therefore, the CALUP Update would result in no impacts to these resources.

XV. RECREATION -- Would the project:

| | | | | |
|---|---|---|---|---|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | [ ] | [ ] | [ ] | [X] |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | [ ] | [ ] | [ ] | [X] |

(a-b) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any direct affect upon recreational resources. Policies that maintain low density development in safety compatibility zones are considered as having a beneficial affect on recreational demands. Therefore, the CALUP Update would result in no impacts to these resources.

XVI. TRANSPORTATION/TRAFFIC – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | [ ] | [ ] | [ ] | [X] |
| b) Exceed, either individually or cumulatively, a level of | [ ] | [ ] | [ ] | [X] |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| service standard established by the county congestion management agency for designated roads or highways? | | | | |

(a-b) Response: The CALUP Update is limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any direct affect upon street or intersection capacity, or current level of service standards. Therefore, the CALUP Update would result in no impacts to these resources.

| | | | | |
|---|---|---|---|---|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | [ ] | [ ] | [ ] | [X] |

Response: The CALUP Update addresses the issue of frequent aircraft overflights in areas away from the Airport. Such overflights can result in annoyance and complaints from persons on the ground. Locations include areas beneath the standard traffic patterns, portions of the pattern entry and departure routes flown at traffic pattern altitude and occasionally additional places may experience a higher concentration of overflights than normal. When this occurs these areas are affected by aircraft noise at levels below federal or state standards, but the frequent overflights can result in a temporary noise nuisance.

The following ALUC policies address the various overflight issues:

- Avigation easements shall be obtained and recorded for all properties to be developed within Safety Zones 2 to 6 and in those portions of Safety Zone 1 that are not owned by the Sponsor/Owner. This continues but restates an existing policy regarding avigation easements. The effect of this policy is to reduce the area where existing avigation easements are obtained.
- Deed notices describing airport impacts shall be required as a condition of development in those areas of the Airport Influence Area outside designated Safety Zones. This requirement expands the notification of an airport in the vicinity without obtaining any property rights.
- All real estate transfers within the Airport Influence Area shall include the Notice of Airport in Vicinity Disclosure Statement, as required by Section 1102 of the California Civil Code. This policy merely requires compliance with State law.

Generally, these overflight policies provide a level of mitigation against the potentially adverse impacts of aircraft overflights. Based on these policies the CALUP Update would result in no impacts to these resources.

| | | | | |
|---|---|---|---|---|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | [ ] | [ ] | [ ] | [X] |
| e) Result in inadequate emergency access? | [ ] | [ ] | [ ] | [X] |
| f) Result in inadequate parking capacity? | [ ] | [ ] | [ ] | [X] |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | [ ] | [ ] | [ ] | [X] |

(d-g) Response: The CALUP Update is a policy plan limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any affect upon street design features, emergency

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

access, parking capacity or alternative transportation modes. Therefore, the CALUP Update would result in no impacts to these resources.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

| | | | | |
|---|---|---|---|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | [ ] | [ ] | [ ] | [X] |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | [ ] | [ ] | [ ] | [X] |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | [ ] | [ ] | [ ] | [X] |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | [ ] | [ ] | [ ] | [X] |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | [ ] | [ ] | [ ] | [X] |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | [ ] | [ ] | [ ] | [X] |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | [ ] | [ ] | [ ] | [X] |

(a-g) Response: The CALUP Update is a policy plan limited in scope to public safety and aircraft noise issues. None of the proposed policies would have any direct affect upon utilities or their service systems. Therefore, the CALUP Update would result in no impacts to these resources.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE – Does the project:

| | | | | |
|---|---|---|---|---|
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | [ ] | [ ] | [ ] | [X] |
| b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and | [ ] | [ ] | [ ] | [X] |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| the effects of probable future projects)? | | | | |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | [ ] | [ ] | [ ] | [X] |

(a-c) Response: The CALUP Update proposes land use restrictions for areas surrounding each public use airport in Tulare County for the purpose of protecting the general public from the noise and safety issues associated with each Airport and associated aircraft operations. The proposed policies are intended to provide the basis for mitigating public safety and aircraft noise issues that may arise at these Airports. In addition, the CALUP Update requires notices of an airport in the vicinity or deed notices so that future home occupants, either owners or renters, understand the location of their property with respect to each Airport and can make informed choices.

The preceding analysis indicates that while there are some inconsistencies between the CALUP Update and the General Plans and Zoning Ordinances of Tulare County and affected cities there are no significant impacts. All of the inconsistencies can be mitigated to a "No Impact" or "Less Than Significant Impact" level.

# ATTACHMENT NO. 5

# CONSULTING LIST AND CORRESPONDENCE

CERTIFICATE OF MAILING NOTICE TO LIST OF AGENCIES AND INDIVIDUALS CONSULTED

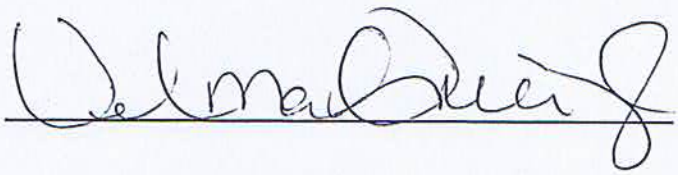
STATE OF CALIFORNIA )
)
COUNTY OF TULARE )

I am employed by the Tulare County Resource Management Agency and my business address is 5961 South Mooney Blvd., Visalia, California.

On the 12th of October 2012, I mailed or caused to be mailed, Notice to List of Agencies and Individuals Consulted. A copy of said notice is attached hereto. Said notice was enclosed in a sealed envelope, with postage thereon f ully prepaid, and deposited in the United States mail at Visalia, California, addressed to the persons listed on the attachment.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on October 12, 2012 at Visalia, California.

TULARE COUNTY Planning Director

BY: 

Case No: Draft Mitigated Negative Declaration and Draft CALUP

CERTIFICATE OF MAILING NOTICE TO Agencies and Individuals Consulted

STATE OF CALIFORNIA )
)
COUNTY OF TULARE )

I am employed by the Tulare County Resource Management Agency and my business address is 5961 South Mooney Blvd., Visalia, California.

On the 25th of October 2012, I mailed or caused to be mailed, Notice to Agencies and Individuals Consulted A copy of said notice is attached hereto. Said notice was enclosed in a sealed envelope, with postage thereon fully prepaid, and deposited in the United States mail at Visalia, California, addressed to the persons listed on the attachment.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on October 25, 2012 at Visalia, California.

TULARE COUNTY Planning Director

BY: 

Case No: Draft mitigated Negative Declaration and Draft CALUP

TULARE COUNTY RESOURCE MANAGEMENT AGENCY
Draft Mitigated Neg Dec and Draft CALUP Update Mail-Out List
Current 30 Day Review Period: October 15, 2012-November 14, 2012
*List of Agencies and Individuals Consulted:*

**County Departments**

- ☐ All Tulare County Airport Land Use Commission (9 copies)
- ☐ Tulare Co. CAO
- ☐ Tulare Co. Grand Jury (2 copies)
- ☐ Tulare Co. Environmental Health (Alison Shuklian)
- ☐ Tulare County Counsel (Clint Sims)
- ☐ Tulare County Fire Department (Al Miller)
- ☐ Tulare County Association of Governments (Elizabeth Wright)
- ☐ Tulare County Building Department (Dennis Lehman)
- ☐ Tulare County Economic Development (Mike Washam)
- ☐ Tulare County Public Works (Britt Fussel)

**Cities/Counties**

- ☐ Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake
- ☐ Counties of Kings, Kern, Fresno, Inyo.

**Other Organizations/Agencies/State Government/Federal Government**

- ☐ San Joaquin Valley Air Pollution Control District
- ☐ CA Regional Water Quality Control Board, Central Valley
- ☐ OPR/State Clearinghouse = 15 copies (with Notice of Completion)
    - o California Department of Transportation (District 06)
    - o Air Resources Board
    - o California Department of Fish and Game, District 4
    - o CA Regional Water Quality Control Board, Central Valley

- ☐ California Pilots Association
- ☐ Airport Managers in Tulare County (8 copies)

Airport Contacts

Mark Daly (Exeter Airport)
25000 Rd 188
Exeter, CA 93221
559.786.7887

Eckert Field
23500 Avenue 204
Strathmore, CA
559.568.0131

Visalia Municipal Airport
Mario Cifuentez II
9501 Airport Drive
Visalia, Ca 93277

Woodlake Airport
Bill Lewis
350 N. Valenica Blvd.
Woodlake, CA 93286

Tulare Municipal Airport
Rich Lujan
411 E Kern Ave.
Tulare, CA 93274

Porterville Municipal Airport
Jim MacDonald
291 N. Main St.
Porterville, CA 93257

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Visalia Planning Department
Paul Scheibel
315 E Acequia
Visalia , CA 93291

City of Porterville
Jenni Byers-Planning
291 N. Main St.
Porterville, CA 93257

City of Tulare
Mark Kielty- Planning Director
411 E Kern Ave.
Tulare, CA 93274

City of Woodlake
Greg Collins- Planning
350 N. Valenica Blvd.
Woodlake, CA 93286

**NATIVE AMERICAN HERITAGE COMMISSION**
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net


October 18, 2012

Mr. Jason Garcia-LoBue, Planner
**Tulare County Resource Management Agency**
5961 S. Mooney Boulevard
Visalia, CA 93277-9394

Re: SCH#2012101039; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the **"Tulare County Airport Comprehensive Airport Land Use :an Update Project;"** located in Tulare County California

Dear Mr. Garcia-LoBue:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendment s effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that lead agencies conduct a Sacred Lands File search of the proposed 'area of potential effect' (APE) as part of their due diligence. .

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r ).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts**
**Tulare County**
**October 18, 2012**

Santa Rosa Rancheria
Rueben Barrios Sr., Chairperson
P.O. Box 8
Lemoore , CA 93245
(559) 924-1278
(559) 924-3583 Fax

Tache
Tachi
Yokut

Wuksache Tribe
John Sartuche
1028 East "K" Avenue
Visalia , CA 93292
signsbysarch@aol.com
(559) 636-1136

Wuksache

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville , CA 93258
chairman@tulerivertribe-nsn.
(559) 781-4271
(559) 781-4610 FAX

Yokuts

Jennifer Malone
637 E Lakeview
Woodlake , CA 93286
indianpopup@sbcglobal.net
559-564-2146 - home
559-280-0712 - cell

Wukchumni
Tachi
Yowlumni

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas , CA 93906
kwood8934@aol.com
831-443-9702

Foothill Yokuts
Mono
Wuksache

Santa Rosa Tachi Rancheria
Lalo Franco, Cultural Coordinator
P.O. Box 8
Lemoore , CA 93245
(559) 924-1278 - Ext. 5
(559) 924-3583 - FAX

Tachi
Tache
Yokut

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226
Lake Isabella, CA 93240
(760) 379-4590
(760) 379-4592 FAX

Tubatulabal

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012101039; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Tulare County Comprehensive Airport Land Use Plan Update; located in Tulare County, California.**

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

**NATIVE AMERICAN HERITAGE COMMISSION**
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net


October 29, 2012

Mr. Jason Garcia-LoBue, Planner
**Tulare County Resource Management Agency**
5961 S. Mooney Boulevard
Visalia, CA 93277-9394

Re: SCH#2012101039 CEQA Notice of Completion; proposed Mitigated Negative Declaration for the **"Tulare County Comprehensive Airport Land Use Plan Update Project;"** located at airports throughout the County; Tulare County California

Dear Mr. Garcia-LoBue:

The NAHC is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendment s effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously. .

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r ).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq*. and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts**
**Tulare County**
**October 29, 2012**

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville , CA 93258
chairman@tulerivertribe-nsn.
(559) 781-4271
(559) 781-4610 FAX
Yokuts

Jennifer Malone
637 E Lakeview
Woodlake , CA 93286
indianpopup@sbcglobal.net
559-564-2146 - home
559-280-0712 - cell
Wukchumni
Tachi
Yowlumni

Sierra Nevada Native American Coalition
Lawrence Bill, Interim Chairperson
P.O. 125
Dunlap , CA 93621
(559) 338-2354
Mono
Foothill Yokuts
Choinumni

Santa Rosa Tachi Rancheria
Lalo Franco, Cultural Coordinator
P.O. Box 8
Lemoore , CA 93245
(559) 924-1278 - Ext. 5
(559) 924-3583 - FAX
Tachi
Tache
Yokut

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas , CA 93906
kwood8934@aol.com
831-443-9702
Foothill Yokuts
Mono
Wuksache

Wuksache Tribe
John Sartuche
1028 East "K" Avenue
Visalia , CA 93292
signsbysarch@aol.com
(559) 636-1136
Wuksache

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012101039; CEQA Notice of Completion Proposed Mitigaed Negative Declaration for the Tulare County Comprehensive Airport Land Use Plan Update; located in all airports of Tulare County, California.**

# RESOURCE MANAGEMENT AGENCY

## INTEROFFICE MEMORANDUM

November 6, 2012



**TO:** Michael Spata Project Planner

**FROM:** Al Miller, Tulare County Fire Inspector

**SUBJECT:** Case No. Airport Land Use PLAV

The Fire Department has no recommendations in response to this item.

If you have any questions please call Al Miller at 624-7058.

AM:vq

TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF ADMINISTRATION · KEVIN MARKS · DIRECTOR
ENVIRONMENTAL HEALTH SERVICES · VIVIAN NELSON, MSEE REHS · DIVISON MANAGER

Cheryl L. Duerksen, Ph.D.,
Agency Director

November 6, 2012



JASON GARCIA-LOBUE
RESOURCE MANAGEMENT AGENCY
5961 SOUTH MOONEY BLVD
VISALIA CA 93277

Re: Mitigated Negative Declaration –Tulare County Airport Land Use Plan Update

Dear Mr. Garcia-LoBue:

This office has reviewed the above referenced matter. Based upon our review, we have no comments for this project at this time.

Sincerely,

Allison Shuklian
Environmental Health Specialist
Environmental Health Services Division

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

# Memorandum


**Date:** November 5, 2012

**To:** All Reviewing Agencies

**From:** Scott Morgan, Director

**Re:** SCH # 2012101039
Comprehensive Airport Land Use Plan Update

---

The Lead Agency has corrected some information regarding the above-mentioned project. The Mitigated Negative Declaration received on **October 25th, 2012** is a *revision* to the MND sent to your agency on *October 12th, 2012*. Please make note of the following information for your files:

Review period began: **October 25, 2012**
Review period ends: **November 26, 2012**

All other project information remains the same.

cc: Jason Garcia-LoBue
County of Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277-9394

# Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916)445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH#2012101039

Project Title: Tulare County Comprehensive Airport Land Use Plan Update
Lead Agency: County of Tulare Resource Management Agency
Contact Person: Jason Garcia-LoBue
Mailing Address: 5961 S. Mooney Blvd.
Phone: 559-624-7000
City: Visalia
Zip: 93277-9394
County: Tulare County

Project Location: County: Tulare
City/Nearest Community: Countywide
Cross Streets: N/A
Zip Code: Countywide
Lat./Long: Countywide
Total Acres: N/A
Assessor's Parcel No: Countywide
Section: N/A, Township ___, Range ___
Within 2 Miles: State Hwy: 198, 99, 190
Waterways:
Airports: Visalia, Porterville, Tulare, Exeter, Sequoia, Woodlake, Eckert
Railways: ___ School: N/A

CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☒ Mit Neg Dec ☐ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH. No. ___) Other: ___

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other ___

Local Action Type:
☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan ☐ Specific Plan ☐ Master Plan ☐ Planned Unit Dev. ☐ Site Plan ☐ Rezone ☐ Prezone ☐ Use Permit ☐ Land Division (Sub.) ☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☒ Other Airport Land Use Plan

Development Type:
☐ Residential: Units ___ Acres ___
☐ Office: Sq. ft. ___ Acres ___ Employees ___
☐ Commercial: Sq. ft. ___ Acres ___ Employees ___
☐ Industrial: Sq. ft. ___ Acres ___ Employees ___
☐ Educational: ___
☐ Recreational: ___
☐ Water Facilities: Type ___ MGD ___
☐ Transportation: Type ___
☐ Mining: Mineral ___
☐ Power: Type ___ MW ___
☐ Waste Treatment: Type ___ MGD ___
☐ Hazardous Waste: Type ___
☒ Other: Airport Land Use Plan

RECEIVED
OCT 25 2012
STATE CLEARINGHOUSE

Project Issues Discussed in Document:
☒ Aesthetic/Visual ☒ Agricultural Land ☒ Air Quality ☒ Archaeological/Historical ☒ Biological Resources ☐ Coastal Zone ☒ Drainage/Absorption ☐ Economic/Jobs ☐ Fiscal ☒ Flood Plain/Flooding ☐ Forest Land/Fire Hazard ☒ Geologic/Seismic ☒ Minerals ☒ Noise ☒ Population/Housing Balance ☒ Public Services/Facilities ☒ Recreation/Parks ☐ Schools/Universities ☒ Septic Systems ☐ Sewer Capacity ☒ Soil Erosion/Compaction/Grading ☒ Solid/Waste ☒ Toxic/Hazardous ☒ Traffic/Circulation ☐ Vegetation ☒ Water Quality ☒ Water Supply/Groundwater ☐ Wetland/Riparian ☒ Wildlife ☐ Growth Inducing ☒ Land Use ☐ Cumulative Effects
☐ Other: ___

Present Land Use/Zoning/General Plan Designation: The project is a Countywide update to Airport Land Use Policy and does not pertain to a specific site

Project Description: The project is a Countywide update to the Tulare County Comprehensive Airport Land Use Plan. Changes to the plan include an update to the Safety, Noise, Overflight, and Height polices and safety zones. The Countywide plan update affects Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert, and Porterville Airports and their surrounding communities.

State Clearinghouse Contact: (916) 445-0613
State Review Began: 10/25/2012
SCH COMPLIANCE 11/26/2012
Note: Revised PD
Lead

Please note State Clearinghouse Number (SCH#) on all Comments
SCH#: 2012101039
Please forward late comments directly to the Lead Agency
AQMD/APCD 37
(Resources: 10/27)

Project Sent to the following State Agencies

___ Resources
___ Boating & Waterways
___ Coastal Comm
___ Colorado Rvr Bd
X Conservation
X Fish & Game # 4
___ Delta Protection Comm
___ Cal Fire
___ Historic Preservation
X Parks & Rec
___ Central Valley Flood Prot.
___ Bay Cons & Dev Comm.
X DWR
___ Cal EMA
___ Resources, Recycling and Recovery

Bus Transp Hous
X Aeronautics
X CHP
X Caltrans # 6
___ Trans Planning
___ Housing & Com Dev
___ Food & Agriculture
___ Public Health

State/Consumer Svcs
___ General Services

Cal EPA
X ARB: Airport/Energy Projects
___ ARB: Transportation Projects
___ ARB: Major Industrial Projects
___ SWRCB: Div. Financial Assist.
___ SWRCB: Wtr Quality
___ SWRCB: Wtr Rights
X Reg. WQCB # 5F
___ Toxic Sub Ctrl-CTC

Yth/Adlt Corrections
___ Corrections

Independent Comm
___ Energy Commission
X NAHC
X Public Utilities Comm
___ State Lands Comm
___ Tahoe Rgl Plan Agency

___ Conservancy

___ Other: ___

**DEPARTMENT OF TRANSPORTATION**
**DISTRICT 6**
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7396
FAX (559) 488-4088
TTY (559) 488-4066

*Flex your power!*
*Be energy efficient!*



November 16, 2012

2135-IGR/CEQA
6-TUL-GEN-GEN
TULARE COUNTY COMPREHENSIVE
AIRPORT LAND USE PLAN UPDATE
SCH # 2012101039

Mr. Jason Garcia-LoBue, Project Planner
County of Tulare
Resource Management Agency
5961 S. Mooney Boulevard
Visalia, CA 93277

Dear Mr. Garcia-LoBue:

Thank you for the opportunity to review the Mitigated Negative Declaration (MND) for the Tulare County Comprehensive Airport Land Use Plan (CALUP) Update. The project is a countywide update to the Airport Land Use Policy in regards to safety, noise, height, and over flight policies. The update affects the Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert and Porterville Airports and their surrounding communities.

Caltrans has the following comments:

Proposed improvements for the Visalia, Porterville, Tulare, and Woodlake Airports include the extension and/or relocation of existing runways, in addition to land acquisition for airport expansion. Although the CALUP Update is limited to safety, noise, height, and over flight policies for the orderly growth and development of the various airports and the influence area surrounding the airports, changes proposed for future expansion of these airports may have an impact the State Highway System.

A single land use development project may not create significant impacts to the State Highway System. However, when combined with other land use developments within the airports boundary limits and influence area, cumulative impacts to the transportation/circulation system could be significant. Therefore, Caltrans may require, depending on the land use development proposed within each airport's boundary limits and influence areas, a traffic study to assess project-related impacts to the State Highway System and appropriate mitigation measures.

**Visalia Municipal Airport:**

In regards to the Visalia Municipal Airport, acquisition of approximately 563 acres to the southeast of the existing airport boundary is proposed for the recommended runway extension and future runway protection zone. The 563 acres runs along Caldwell Avenue (Avenue 280) and is approximately 1/3 mile east of the State Route (SR) 99/Caldwell Interchange. Although, no

development is proposed within the 563 acres and the zoning and General Plan designations are proposed to remain as "Agriculture", future development of this area for private or aviation use could potentially have significant impacts to the Caldwell Avenue interchange. The SR 99/Caldwell Avenue Interchange was designed and constructed to serve a predominately rural/agricultural area. The existing ramp deceleration and acceleration lengths will be incompatible with the anticipated increase in project traffic volumes due to development of property within the vicinity of the interchange. Continued growth at the airport and within the functional limits of the interchange will result in the need for reconstruction of the existing interchange.

**Porterville Municipal Airport:**

In regards to the Porterville Municipal Airport, acquisition of approximately 206 acres of land to the southeast of the existing airport boundary is proposed for the recommended runway extension and future runway protection zone. The Porterville Airport can be accessed from either:

- SR 190/Road 232 (Newcomb Street) which is approximately 1 mile north of the airport,
- SR 65/Avenue 136 (Scranton Avenue) which is approximately ¾ mile west of the airport or,
- SR 65/Avenue 128 (Tea Pot Dome Avenue) which is approximately ¾ mile west of the airport.

Continued growth at the Porterville Airport and within the functional limits of the above noted intersections may result in the need for improvements or reconstruction of the existing intersections.

**Tulare Municipal Airport:**

In regards to the Tulare Municipal Airport, land acquisition of 33 acres is proposed for the recommended runway extension and future runway protection zone.

The airport is currently served by the SR 99/Avenue 200 Interchange, which is an old, substandard interchange that was designed and constructed to serve a predominately rural/agricultural area. The existing ramp deceleration and acceleration lengths will be incompatible with the anticipated increase in project traffic volumes due to development of property within the vicinity of the interchange. Continued growth within the airport's influence area and within the functional limits of the interchange will result in the need for reconstruction of the existing interchange.

The State of California has an adopted Transportation Concept Report (TCR) for each of the State Routes that designates the ultimate right-of-way cross-section upgrades in the future. According to the TCR for SR 99, the Tulare Municipal Airport is adjacent to segment 15 which is currently classified as a 4 lane freeway. Under the 2025 Concept Facility and the Ultimate Transportation Corridor (UTC beyond 2025), this segment of SR 99 is planned as a six-lane freeway with auxiliary lanes. As a point of information SR 99 is currently in various stages of being widened from 4 lanes to 6 lanes starting in the community of Goshen and continuing south to Prosperity Avenue in the City of Tulare.

**Woodlake Municipal Airport:**

In regards to the Woodlake Municipal Airport, land acquisition of 23 acres is proposed for the

recommended runway extension and future runway protection zone. A portion of these acres are located on the east side of State Route (SR) 245, so that the future eastern boundaries of the airport will effectively traverse SR 245. Depending on the development and use of the proposed acquisition areas, a Caltrans Encroachment Permit and future Right-of-Way dedications may be required.

According to our Transportation Concept Report (TCR) for SR 245, the Woodlake Municipal Airport is adjacent to segment 1 which is classified under the 2035 Concept Facility as a two-lane conventional highway with possible improvements of adding turn lanes, signals and/or passing lanes. The Ultimate Transportation Corridor (UTC) beyond 2035 for SR 245 is for a four-lane conventional highway for Segment 1 and a two-lane conventional highway with improvements for the remainder of the route.

An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations."

In general, the number of lanes needed to meet the Ultimate Transportation Concept (UTC) for any Route is only a guideline. The minimum right-of-way is "subject to change" in urban and suburban areas where a Route also serves local circulation needs. The need to widen the roadway beyond the UTC may be necessary to maintain the target Level of Service (LOS). The local jurisdictions should endeavor to maintain adequate right-of-way to maintain the target LOS, which in an urban setting could exceed the UTC number of lanes. Where the State legislature has designated the Route as part of the Freeway and Expressway System, interchange and freeway right-of-way should be part of the General Plan so as not to adversely affect development. In some sections, additional right-of-way may be necessary to accommodate access to the local road system.

Comments from the Caltrans Division of Aeronautics will follow under separate letter.

Please be advised that any future development in the vicinity of a State Route, whether the entitlement is deemed by the lead agency to be discretionary or ministerial should be sent to Caltrans for review. If you have any questions, please call me at (559) 488-7396.

Sincerely,

DAVID DEEL
Associate Transportation Planner
District 6

cc: SCH # 2012101039
Mr. Ron Bolyard, Caltrans - Division of Aeronautics
Mr. Ted Smalley, Tulare County Association of Governments

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

November 19, 2012



Jason Garcia-LoBue
County of Tulare RMA
Planning Department
5961 S. Mooney Blvd.
Visalia, CA 93277-9394

**Project: Tulare County Comprehensive Airport Land Use Plan Update**

**District CEQA Reference No: 20120670**

Dear Mr. Garcia-LoBue:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration for the countywide update to the Tulare County Comprehensive Airport Land Use Plan (CALUP). The update will modify some Airport Land Use Commission (ALUC) policies and change some areas where these policies are applied in order to comply with California Public Utilities (PUC) requirements for a comprehensive land use plan that provides guidance for orderly growth of each airport and the surrounding area. The District offers the following comments:

1. The CALUP identifies the various Airport Master Plans and Airport Layout Plans that form the basis of the CALUP. These plans identify future growth of each airport within Tulare County. However, the CALUP itself does not include an emissions analysis for the proposed growth. As such, the District cannot make a determination as to the significance of potential impacts resulting from the growth and development identified in the CALUP. Therefore, the District recommends that each project within the scope of the CALUP be further evaluated for potential impacts on air quality.

2. As stated above, the CALUP identifies the various Airport Master Plans and Airport Layout Plans that form the basis of the CALUP. Some of these plans were adopted after March 1, 2006, the date that District Rule 9510 (Indirect Source Review) became effective. Therefore, future growth identified in the CALUP may be subject to District Rule 9510.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the CALUP constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

3. Future growth as identified in the CALUP be subject to District rules and regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: http://www.valleyair.org/rules/1ruleslist.htm.

4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Jessica Willis at (559) 230-5818.

Sincerely,

David Warner
Director of Permit Services

Jessica R. Willis

Arnaud Marjollet
Permit Services Manager

DW:jw

Cc: File

# ATTACHMENT NO. 6

# PUBLIC HEARING NOTICE

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
NOTICES OF PUBLIC HEARING AND AVAILABILITY
OF ENVIRONMENTAL DOCUMENTS

**NOTICE IS HEREBY GIVEN** of Tulare County's intent to adopt a **Mitigated Negative Declaration** for the approval of the Tulare County Comprehensive Airport Land Use Plan Update ("project"). The Mitigated Negative Declaration has been approved for public review by the Tulare County Environmental Assessment Officer. Copies are available for review and comment at the Resource Management Agency, Permit Center, 5961 South Mooney Blvd., Visalia, California 93277-9394. Comments and recommendations on the adequacy of the environmental document may be filed at the aforementioned address during the public review period established for each project.

**PROJECT:** Tulare County Airport Land Use Plan Update
**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration
**DESCRIPTION:** The project is a Countywide update to the Tulare County Comprehensive Airport Land Use Plan. Changes to the plan include an update to the Safety, Noise, Overflight, and Height polices. The Countywide plan update affects Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert, and Porterville Airports and their surrounding communities.
**PUBLIC HEARING:** Airport Land Use Commission on Wednesday, November 28, 2012 at 9:00 a.m.
**REVIEW PERIOD:** 30 days until Tuesday, November 27, 2012, at 5:00 p.m.

All meetings are held at the Board of Chambers, 2800 West Burrel Avenue, Visalia, California 93291
**AIRPORT LAND USE COMMISSION** meetings start at 9:00 a.m.
All interested parties are invited to attend and be heard. For further information regarding this project, please call (559) 624-7000, **for Environmental questions please call Hector Guerra, Chief Environmental Planner at 624-7121.**
If you challenge the decision on any of the foregoing matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Tulare County Resource Management Agency. Planning Branch within the review period described herein.
In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 624-7000 48-hours in advance of the meeting.

MICHAEL C. SPATA, ENVIRONMENTAL ASSESSMENT OFFICER

Order Confirmation

VISALIA TIMES-DELTA
www.VisaliaTimesDelta.com
Tulare Advance-Register
www.TulareAdvanceRegister.com
Visalia Times-Delta/Tulare Advance-Register
PO Box 31 - 330 N West St
Visalia CA 93291
(559) 735-3333

# Order Confirmation For Ad #0000236979

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|---|---|---|---|
| **Customer #** | 24707VT | **Payor Customer #** | 24707VT |
| TUL CO RESOURCE MGMT | | TUL CO RESOURCE MGMT | |
| 5961 S MOONEY BLVD | | 5961 S MOONEY BLVD | |
| VISALIA CA 93277-9394 USA | | VISALIA CA 93277-9394 USA | |
| **Customer Phone:** | 559-636-2503 | **Payor Phone:** | 559-636-2503 |
| **Customer EMail:** | VXQuiroz@co.tulare.ca.us | | |

| | |
|---|---|
| **PO Number:** | |
| **Ordered By:** | Velma |
| **Customer Fax:** | 559-730-2653 |
| **Special Pricing:** | None |
| **Sales Rep:** | dygarcia |
| **Order Taker:** | dygarcia |
| **Order Source:** | Phone |

| Tear Sheets | Proofs | Affidavits @ $10.00 | Blind Box | Promo Type |
|---|---|---|---|---|
| 0 | 0 | 1 | | |

**Materials**

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|---|---|
| **Net Amount** | $282.24 |
| **Tax Amount** | $0.00 |
| **Total Amount** | $282.24 |
| **Payment Amount** | $282.24 - Credit Card - Visa:7101 |
| **Amount Due** | $0.00 |

**Ad Order Notes**

**Invoice Text**

| Ad Number | Ad Type | Ad Size | Color | Production Method | Production Notes |
|---|---|---|---|---|---|
| 0000236979-01 | CLS MultiCol Liner | : 2.0 X 96 Li | <NONE> | AdBooker | |

| External Ad Number | Ad Attributes | Ad Released | Pick Up |
|---|---|---|---|
| | | No | |

**Ad Content**

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MICHAEL C. SPATA, ENVIRONMENTAL ASSESSMENT OFFICER

Publish: October 26, 2012 #236979

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
NOTICES OF PUBLIC HEARING AND AVAILABILITY
OF ENVIRONMENTAL DOCUMENTS

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MICHAEL C. SPATA, ENVIRONMENTAL ASSESSMENT OFFICER

## Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916)445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

**SCH#2012101039**

**Project Title:** Tulare County Comprehensive Airport Land Use Plan Update

Lead Agency: County of Tulare Resource Management Agency
Contact Person: Jason Garcia-LoBue
Mailing Address: 5961 S. Mooney Blvd.
Phone: 559-624-7000
City: Visalia Zip: 93277-9394
County: Tulare County

---

**Project Location:** County: Tulare
City/Nearest Community: Countywide
Cross Streets: N/A
Zip Code: Countywide
Lat./Long: Countywide
Total Acres: N/A
Assessor's Parcel No: Countywide
Section: N/A, Township___, Range ___
Within 2 Miles: State Hwy: 198, 99, 190
Waterways:
Airports: Visalia, Porterville, Tulare, Exeter, Sequoia, Woodlake, Eckert Railways: ____ School: N/A

---

CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☒ Mit Neg Dec ☐ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH. No. ____) ☐ Other: ____

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other ____

---

**Local Action Type:**

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☐ Planned Unit Dev. ☐ Site Plan
☐ Rezone ☐ Prezone ☐ Use Permit ☐ Land Division (Sub.)
☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☒ Other Airport Land Use Plan

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**Development Type:**

☐ Residential: Units _ Acres _
☐ Office: Sq. ft. ___ Acres ___ Employees ___
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☐ Industrial: Sq. ft. ___ Acres ___ Employees _
☐ Educational: ____
☐ Recreational: ____

☐ Water Facilities: Type ____ MGD ____
☐ Transportation: Type ____
☐ Mining: Mineral ____
☐ Power: Type ____ MW ____
☐ Waste Treatment: Type ____ MGD ____
☐ Hazardous Waste: Type ____
☒ Other: Airport Land Use Plan

---

**Project Issues Discussed in Document:**

☒ Aesthetic/Visual
☒ Agricultural Land
☒ Air Quality
☒ Archaeological/Historical
☒ Biological Resources
☐ Coastal Zone
☒ Drainage/Absorption
☐ Economic/Jobs
☐ Fiscal
☒ Flood Plain/Flooding
☐ Forest Land/Fire Hazard
☒ Geologic/Seismic
☒ Minerals
☒ Noise
☒ Population/Housing Balance
☒ Public Services/Facilities
☒ Recreation/Parks
☐ Schools/Universities
☒ Septic Systems
☐ Sewer Capacity
☒ Soil Erosion/Compaction/Grading
☒ Solid/Waste
☒ Toxic/Hazardous
☒ Traffic/Circulation
☐ Vegetation
☒ Water Quality
☒ Water Supply/Groundwater
☐ Wetland/Riparian
☒ Wildlife
☐ Growth Inducing
☒ Land Use
☐ Cumulative Effects
☐ Other: ____

---

**Present Land Use/Zoning/General Plan Designation:** The project is a Countywide update to Airport Land Use Policy and does not pertain to a specific site

---

**Project Description:** The project is a Countywide update to the Tulare County Comprehensive Airport Land Use Plan. Changes to the plan include an update to the Safety, Noise, Overflight, and Height polices and safety zones. The Countywide plan update affects Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert, and Porterville Airports and their surrounding communities.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X." If the document has already been sent to the agency, denote that with an "s."

- x Air Resources
- ____ Boating & Waterways, Department of
- ____ California Highway Patrol
- x Caltrans District # 6
- x Caltrans Division of Aeronautics
- ____ Caltrans Planning (Headquarters)
- ____ Coachella Valley mountains Conservancy
- ____ Coastal Commission
- ____ Colorado River Board
- x Conservation, Department of
- ____ Corrections, Department of
- ____ Delta Protection Commission
- ____ Education, Department of
- ____ Energy Commission
- x Fish & Game Region 4
- ____ Food & Agriculture, Department of
- ____ Forestry & Fire Protection
- ____ General Services, Department of
- ____ Health Services, Department of
- ____ Housing & Community Development
- ____ Integrated Waste Management Board
- ____ Native American Heritage Commission
- ____ Office of Emergency Services
- ____ Office of Historic Preservation
- ____ Office of Public School Construction
- ____ Parks & Recreation
- ____ Pesticide Regulation, Department of
- X Public Utilities Commission
- ____ Reclamation Board
- x Regional WQCB # 5
- ____ Resources Agency
- ____ S.F. Bay Conservation & Development Commission
- ____ San Gabriel & Lower L.A. Rivers and Mtns Conservancy
- ____ San Joaquin River Conservancy
- ____ Santa Monica Mountains Conservancy
- ____ State Lands Commission
- ____ SWRCB: Clean Water Grants
- ____ SWRCB: Water Quality
- ____ SWRCB: Water Rights
- ____ Tahoe Regional Planning Agency
- ____ Toxic Substances Control, Department of
- ____ Water Resources, Department of

- s Other San Joaquin Valley Air Pollution Control District
- s Other Cities of Visalia, Tulare, Porterville, Woodlake

---

**Local Public Review Period (to be filled in by lead agency)**

Starting Date: October 15, 2012 Ending Date: November 26, 2012

Original Period extended and all documents re-circulated to include Notice of Intent/Public Hearing Notice

**Lead Agency (Complete if applicable):**

Consulting Firm:
Address:
City/State/Zip:
Phone:

Applicant: County of Tulare
Address: 5961 S. Mooney Blvd
City/State/Zip: Visalia, CA 93292
Phone: 559-624-7123

---

**Signature of Lead Agency Representative:** _____ **Date:** 10/23/12

**Printed Name:** JASON GARCIA-LOBUE

Authority cited: Section 21083, public Resources Code. Reference: Section 21161, Public Resources Code.

Project: Tulare County Airport Land Use Plan Update
Applicant: Tulare County
Agent: Aries Consultants
Date Prepared: October 9, 2012

# MITIGATED NEGATIVE DECLARATION

## DESCRIPTION OF PROJECT:

Amendment (Update) to the Tulare County Comprehensive Airport Land Use Plan

Proposal, Zoning and Parcel Size:
A Mitigated Negative Declaration and an amendment to the Tulare County Comprehensive Airport Land Use Plan. Changes to the plan include an update to the Safety, Noise, Overflight, and Height polices and safety zones. The Countywide plan update affects Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert, and Porterville Airports and their surrounding communities.

Location:

Tulare County-Countywide

Project Facts:

Refer to Initial Environmental Study for a) project facts, plans and policies, b) discussion of environmental effects and mitigation measures and c) determination of significant effect.

Attachments:

| | |
|---|---|
| Initial Environmental Study | (X) |
| Maps | (X) |
| Mitigation Measures | (X) |

## DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

(a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory.

(b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the Tulare County Resource Management Agency, in accordance with the CEQA 1970, as amended. A copy may be obtained from the Tulare County Resource Management Agency, 5961 South Mooney Blvd., Visalia, CA 93277-9394, telephone (559) 624-7000, during normal business hours.

APPROVED
HECTOR GUERRA
CHIEF ENVIRONMENTAL PLANNER

BY: _____

DATE APPROVED 10/11/12

REVIEW PERIOD 30 days

MICHAEL C. SPATA
ENVIRONMENTAL ASSESSMENT OFFICER

BY: _____

DATE APPROVED: 10 - 11 - 12

REVIEW PERIOD: 30 days

# NOTICE OF DETERMINATION

Fee Exempt per Government Code Section 6301

FILED
TULARE COUNTY
NOV 28 2012
ROLAND P. HILL
ASSESSOR/CLERK RECORDER
BY:

**To:** Tulare County Clerk
Room 105, Courthouse
221 South Mooney Blvd.

**Lead Agency:** Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277

**Applicant(s):** **Tulare County Resource Management Agency**
**5961 S. Mooney Blvd. Visalia, CA 93277**
**559-624-7000**

**Subject:** **Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code**

**Project Title:** **Tulare County Comprehensive Airport Land Use Plan Update** 0123

**State Clearinghouse Number:** **2012-101039**

**Contact Person:** Jason Garcia-LoBue, Planner III **Telephone Number:** 559-624-7100

**Project Location:** Tulare County: both incorporated and unincorporated areas

**Project Description/Case File No:** The Project is a Countywide Update to the Tulare County Comprehensive Airport Land Use Plan. Changes to the plan include an update to the Safety, Noise, Overflight, and Height policies. The Countywide plan update affects Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert, and Porterville Airports and their surrounding communities.

This is to advise that the TULARE COUNTY AIRPORT LAND USE COMMISSION has approved the above-described project on November 28, 2012 and has made the following determinations regarding the above-described project:

1. The project ( ) will (X) will not have a significant adverse impact on the environment.
2. ( ) A Final Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.

   (X) A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

   The environmental document and record of project approval may be examined at:
   5961 S Mooney Blvd., Visalia CA 93277
3. Mitigation Measures (X) were ( ) were not made a condition of approval of the project.
4. A Statement of Overriding Considerations ( ) was (X) was not adopted for the project.

By: _____ 11/28/12
Hector Guerra, Chief Environmental Planner

(X) Dept of Fish & Game Fees Req'd
( ) E.I.R.
(X) MND
( ) N.D.

By: _____ 11/28/12
Michael C. Spata, Secretary, Tulare County Planning Commission

Filed with the Tulare County Clerk on _____, 2012.

Cc: California. Dept. of Fish & Game, 1416 Ninth St., 12th Floor, Sacramento, CA 95814
Note: Authority cited: Section 21083, Public Resource Code; Reference: Sections 21108, 21152 and 21167, Public Resource Code.

# RESOURCE MANAGEMENT AGENCY

5961 South Mooney Blvd.
Visalia, CA. 93277
Phone (559) 624-7000
Fax (559) 730-2653

Britt L. Fussel — Public Works
Roger Hunt — Administration
Michael C. Spata — Planning

JAKE RAPER, JR., DIRECTOR


November 27, 2012

To: Tulare County Airport Land Use Commission

From: Michael C. Spata, Assistant Director- Planning
Hector Guerra, Chief Environmental Planner
Fred Bruesuelas, Chief Planner, Countywide Planning
Jason Garcia-LoBue, Planner III, Project Planner

**Re: Response to Comments and Proposed Minor Amendments to Tulare County Comprehensive Airport Land Use Plan**

Based on comments received during the public review period, staff has determined that it was necessary to prepare this supplemental packet for your Commission in regard to the County Airport Land Use Plan Update.

Based on the discussion that will be provided, staff recommends that these revisions be made to the proposed plan as such revisions are minor, insubstantial and consistent with airport policies as outlined by the state.

Please see attached as identified below. These attachments will be summarized during the public hearing.

Attachment 1: Proposed Minor Amendments to the Airport Land Use Plan
- Exhibit A: Table 3-1 with Track Changes
- Exhibit B: Table 3-2 with Track Changes
- Exhibit C: Handout for Safety Zone 6-Airport Land Use Planning Handbook

Attachment 2: Response to Comments
- Exhibit D: Comments Received

ATTACHMENT 1

## Proposed Minor Amendments to Circulated Draft Plan

An Update to the Tulare County
Comprehensive Airport Land Use Plan (CALUP)

In response to comments received, County Staff has reviewed the Draft Comprehensive Airport Land Use Plan (CALUP) as circulated and is recommending that three minor amendments be incorporated into the plan. The proposed amendments, as listed below, are included in track changes in Exhibit A.

1. Amend Footnote No. 10 on Table 3-1 in the Draft Comprehensive Airport Land Use Plan from Safety Zones 1-6 to reflect Safety Zones 1-5. Staff has reviewed this request and it appears consistent with the State's Airport Land Use Planning Handbook (See Exhibit C).

2. Add an additional footnote (Footnote Number 19) allowing Retail Commercial (Aircraft Fuel, Aircraft Sales, Aircraft Repairs, and Aircraft Flying Schools) as a compatible use within Safety Zone 6 on airport property.

3. Amend Note B in Table 3-2 (Exhibit B) stating that affected jurisdictions may impose greater density restrictions through their general plans and/or zoning. In this way, cities have greater flexibility through their planning and zoning process to determine appropriate densities and limitations. Staff has determined that the proposed "no limit" density appears consistent with the State's Airport Land Use Planning Handbook (Exhibit C).

## Table 3-1

## TULARE COUNTY AIRPORT LAND USE COMPATIBILITY[1]

| Land Use Category [2] | Safety Zone 1 [3] | Safety Zone 2 [3] | Safety Zone 3 [3] | Safety Zone 4 [3] | Safety Zone 5 [3] | Safety Zone 6 [4] | Remainder Areas within Airport Influence Area [5,6] |
|---|---|---|---|---|---|---|---|
| **Agriculture & Animal Keeping** | | | | | | | |
| Crop production including dry and irrigated farming | C[8] | C[8] | C | C | C[8] | C | C |
| Truck Farming, Specialty Crops, Orchards, Vineyards, Landscape Nurseries, Greenhouses | P | C | C | C | P | C | C |
| Crop Processing and Packaging, Wineries | P | C | C | C | P | C | C |
| Pasture and Rangeland Grazing | P | C | C | C | C[8] | C | C |
| Hogs, Dairies, Bee Keeping | P | C | C | C | P | C | C |
| Commercial Poultry | P | P | P | P | P | P | C |
| Fish Farms, Game Preserves | P | C[8,9] | C[8,9] | C[8,9] | P | C | C |
| Feed Lots, Stockyards, Sales Yards | P | C[8,9] | C[8,9] | C[8,9] | P | C | C |
| Animal Hospital, Veterinary Clinic, Kennels, Pet Boarding, Equestrian Facilities, Exotic Animals | P | C[8,9] | C[8,9] | C[8,9] | P | C | C |
| Roadside Stands, Farmers Markets | P | C | C | C | P | C | C |
| **Residential [10]** | | | | | | | |
| Single Family Residential | P | P | P | P | P | C[11] | C[11] |
| Multi-Family Residential, Mobile Home Parks | P | P | P | P | P | P | C[11] |
| Group Homes, Convalescent Facilities, Nursing Homes | P | P | P | P | P | P | C[11] |
| Granny Flat (1,200 s.f. or less) | P | P | P | P | P | P | C[11] |
| Caretaker Residence (1,200 s.f. or less) | P | C[11] | C[11] | C[11] | C[11] | C[11] | C[11] |

C[1] = Compatible
P[1] = Prohibited



EXHIBIT 'A'
PAGE 1

**Table 3-1 (continued)**
**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY**

| Land Use Category | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area [3] |
|---|---|---|---|---|---|---|---|
| **Institutional, Public and Quasi-Public** | | | | | | | |
| Schools and Hospitals | P[18] | P[18] | P[18] | P[18] | P[18] | P[18] | C[18] |
| Libraries, Day Care Centers, Social Clubs/Lodges, Churches | P | P | P | P | P | P | C |
| Parks, Playgrounds, Picnic Areas | P | C[17] | C[17] | C[17] | C[17] | C[17] | C[17] |
| Athletic Fields | P | C[17] | C[17] | C[17] | C[17] | C[17] | C[17] |
| Cemeteries - People or Pets | P | C | C | C | C | C | C |
| Public Utility Facilities (except Electric Plants) | P | C[8] | C[8] | C[8] | P | C | C |
| Electric Power Plants (including wind turbines and solar) and overhead transmission lines | P | P | P | P | P | C | C |
| Correctional Facilities | P | P | P | P | P | C | C |
| **Communications** | | | | | | | |
| Broadcast Studios | P | C | C | C | P | C | C |
| Transmission Stations, Towers, Antennas | P | P | P | P | P | C[16] | C |
| **Resource Extraction** | | | | | | | |
| Mining – Sand, Gravel, Fill Dirt | P | P | P | P | P | C | C |
| **Commercial Recreational** | | | | | | | |
| Arcades, Bowling Alleys, Skating Rinks, Dance and Pool Halls, Card Rooms, Gaming Facilities, Gyms, Health Spas, Indoor Theaters and Auditoriums, Go-cart track, Dirt track | P | P | C[17] | C[17] | P | C[17] | C |



EXHIBIT 'A'
PAGE 2

**Table 3-1(continued)**
**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY**

| Land Use Category | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area [3] |
|---|---|---|---|---|---|---|---|
| **Commercial Recreational (continued)** | | | | | | | |
| Outdoor Theaters, Amusement Parks, Carnivals, Fairs | P | P | C[17] | C[17] | P | C[17] | C |
| Golf Courses, Tennis Courts | P | C | C | C | C | C | C |
| Multi-Use Stadium/Motor Speedway | P | P | P | P | P | C[17] | C |
| Swimming Pools, Water Slides | P | P | C[17] | P | P | C | C |
| **Retail Commercial** | | | | | | | |
| Aircraft Fuel, Aircraft Sales and Aircraft Repairs, Flying Schools | P | P | P | P | C | P[19] | C |
| Vehicles and Parts Sales, Building Materials, Food and Beverage Sales | P | C[11] | C[11] | C[11] | P | C[11] | C |
| Shopping Centers | P | P | P | P | P | C[11] | C |
| Banks | P | P | P | P | P | C[11] | C |
| Small Retail Commercial Center | P | P | C[11] | C[11] | P | C[11] | C |
| Gasoline Service Stations | P | P | C | C | P | C | C |
| Restaurant and Food Take-Out, General Retail Stores, Tasting Rooms | P | P | C[11] | C[11] | P | C[11] | C |
| Convention and Conference Centers | P | P | C[11] | P | P | C[11] | C |
| Fuel Dealers, Fuel Storage | P | C[13] | C[13] | C[13] | P | C[13] | C |
| **Service Commercial** | | | | | | | |
| Office Buildings, Public Buildings, Research Laboratories | P | C[11] | C[11] | C[11] | C[11] | C | C |
| Appliance and Equipment Repair, Car Wash | P | C | C | C | P | C | C |



EXHIBIT 'A'
PAGE 3

**Table 3-1 (continued)**
**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY**

| Land Use Category | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area [3] |
|---|---|---|---|---|---|---|---|
| **Service Commercial (continued)** | | | | | | | |
| Personal Services, Health Clinics | P | C[11] | C[11] | C[11] | P | C[11] | C |
| Recycling | P | C[8,13] | C[8,13] | C[8,13] | P | C | C |
| **Transient Lodgings** | | | | | | | |
| Hotels and Motels, Bed and Breakfast | P | P | C[10] | C[10] | C[10] | C[10] | C |
| RV Parks | P | P | C[10] | C[10] | C[10] | C[10] | C |
| **Wholesale & Storage** | | | | | | | |
| Mini-Storage | P | P | P | P | C | C | C |
| Ammonium Nitrates | P | P | P | P | P | P | P |
| Warehouse, Wholesale and Distributing | P | C[7] | C | C[7] | C[15] | C | C |
| Landfills | P | P | P | P | P | P | P |
| Petroleum and Chemical Products – Bulk Storage | P | P | C[13] | C[13] | C | C | C |
| **Manufacturing & Processing** | | | | | | | |
| Indoor Processes | P | C[14] | C[14] | C[14] | C[14] | C[14] | C |
| Industrial Manufacturing | P | C[14] | C[14] | C[14] | C[14] | C[14] | C |
| Warehousing & Distribution | P | C[14] | C[14] | C[14] | C[14] | C[14] | C |
| **Transportation** | | | | | | | |
| Vehicle Storage and Parking | C[7] | C | C[7] | C | C | C | C |
| Taxi Stands, Bus Stations/Terminals | P | C[12] | C[12] | C[12] | C[12] | C | C |
| Truck Terminals | P | C | C | C | C[15] | C | C |



EXHIBIT 'A'
PAGE 4

**Table 3-1 (continued)**
**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY**

Notes:

1 Land uses are identified as being "C" – compatible, or "P" – prohibited based upon the following interpretations:
*Compatible* - Compatible land uses are designated by the symbol "C". This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.
*Prohibited* - Prohibited land uses are designated by the symbol "P". The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

2 The land use categories illustrated provide a representative sample of land uses found in Tulare County for the purpose of identifying any associated noise, safety, height, or overflight issues within the various zones of the Airport Influence Area. Other land use types that exhibit functional characteristics similar to the uses listed are likely to receive a similar compatibility rating. When it is not clear how a particular land use type might be rated for compatibility the referring agency, landowner or developer should contact ALUC Staff.

3 Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by FAR Part 77 imaginary surfaces. An FAA aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an avigation easement to the airport sponsor.

4 Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.

5 The Airport Influence Area is defined by the outer edge of the conical surface as described in FAR Part 77, plus aircraft noise areas outside the conical surface that exceed 60 dB CNEL.

6 The Remainder areas include portions of the FAR Part 77 horizontal surface not included within the safety zones, together with the conical surface and any 60 dB CNEL noise zones that project beyond the conical surface.

7 Allowed as a temporary use of Airport lands provided the activity does not attract birds or interfere with Airport operations.

8 No structures, congregations of equipment or vehicles, or public venues shall be located within 500 feet of runway centerline.

9 Land uses that incorporate the use of any weapons or implements that would launch a projectile into the air other than animal tranquilizers are prohibited.

10 As a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the ALUC to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

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EXHIBIT 'A'
PAGE 5

**Table 3-1 (continued)**
**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY**

**Notes (continued):**

11 In areas where aircraft noise is expected to exceed 60dB CNEL; inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.

12 Allowed only to the extent that such uses support the flow of passengers to and from the Airport.

13 For otherwise acceptable land uses, the limit for aboveground storage of hazardous materials is 2,000 gallons.

14 Allowed if dust, fumes, and other aspects of the process are carried out in a controlled environment.

15 A compatible use only when the activity is an integral part of an acceptable on-Airport use.

16 Subject to location and height limits.

17 Any activities located in Safety Zones 1 through 6 must meet nonresidential intensity standards – See Table 3-2 of this matrix.

18 No local schools (K-12) or hospitals are permitted in Safety Zones 1 to 6. School locations must meet California Education Code standards.

19 Retail Commercial (Aircraft Fuel, Aircraft Sales, Aircraft Repairs, and Aircraft Flying Schools) are a compatible use on airport property within Safety Zone 6.



EXHIBIT 'A'
PAGE 6

EXHIBIT B
PAGE 7

## Table 3-2

## MAXIMUM ALLOWED DENSITIES

| Current Setting | Safety Zone 1 | Safety Zone 2 | Safety Zone 3 | Safety Zone 4 | Safety Zone 5 | Safety Zone 6 | Remainder Areas within Airport Influence Area |
|---|---|---|---|---|---|---|---|
| **Maximum Residential Densities (average number of dwelling units per gross acre)** | | | | | | | |
| Rural | 0 | Note A | Note A | Note A | Note A | No Limit Note B | No Limit Note B |
| Suburban | 0 | 1 per 10-20 ac | 1 per 2-5 ac | 1 per 2-5 ac | 1 per 1-2 ac | No Limit Note B | No Limit Note B |
| Urban | 0 | 0 | Note C | Note C | Note C | No Limit Note B | No Limit Note B |
| Dense Urban | 0 | 0 | Note C | Note C | Note C | No Limit Note B | No Limit Note B |
| **Maximum Nonresidential Intensities (average number of people per gross acre)** | | | | | | | |
| Rural | 0 Note D | 10-40 | 50-70 | 70-100 | 50-70 | 150-200 | No Limit |
| Suburban | 0 Note D | 40-60 | 70-100 | 100-150 | 70-100 | 200-300 | No Limit |
| Urban | 0 Note D | 60-80 | 100-150 | 150-200 | 100-150 | No Limit Note E | No Limit |
| Dense Urban | 0 Note D | Note F | Note F | Note F | Note F | No Limit Note E | No Limit |
| **Maximum Single Gross Acre Intensity (numbers of people)** | | | | | | | |
| Rural | 0 | 50-80 Note G | 150-210 Note H | 210-300 Note H | 150-210 Note H | 600-800 Note I | No Limit |
| Suburban | 0 | 80-120 Note G | 210-300 Note H | 300-450 Note H | 210-300 Note H | 800-1200 Note I | No Limit |
| Urban | 0 | 120-160 Note G | 300-450 Note H | 450-600 Note H | 300-450 Note H | No Limit Note E | No Limit |
| Dense Urban | 0 | Note F | Note F | Note F | Note F | No Limit Note E | No Limit |

**Notes:**
- A Maintain current zoning if less than density criteria for suburban setting
- B Noise and overflight should be considered. Affected jurisdictions may impose greater density restrictions through their general plan and/or zoning.
- C Allow infill at up to the average density of surrounding residential area.
- D Exceptions can be permitted for agricultural activities, roads and automobile parking provided that FAA criteria are satisfied.
- E Large stadiums and similar uses should be prohibited.
- F Allow infill at up to the average intensity of comparable surrounding uses.
- G Based on 2x the Maximum Nonresidential Density
- H Based on 3x the Maximum Nonresidential Density
- I Based on 4x the Maximum Nonresidential Density

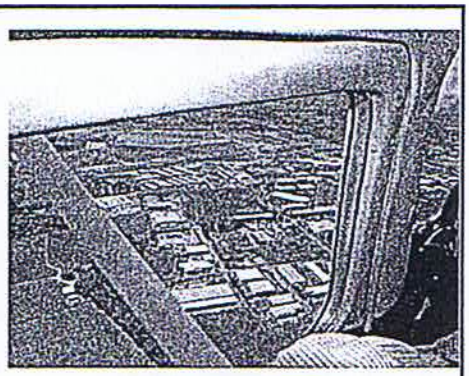
**Source:** Derived from Figures 4B through 4G, *California Airport Land Use Planning Handbook*, State of California, Department of Transportation, Division of Aeronautics, October 2011.

EXHIBIT 'C' PAGE 8



**Nature of Risk**

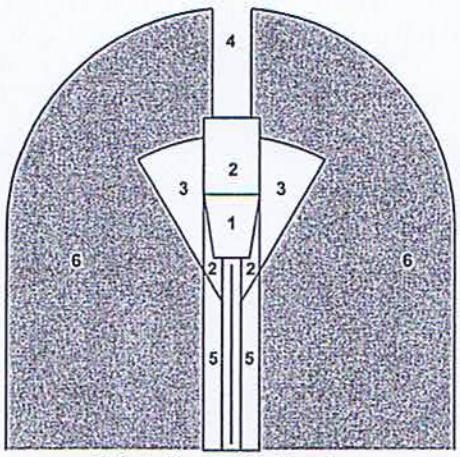
- Normal Maneuvers
  - Aircraft within a regular traffic pattern and pattern entry routes
- Altitude
  - Ranging from 1,000 to 1,500 feet above runway
- Common Accident Types
  - Arrival: Pattern accidents in proximity of airport
  - Departure: Emergency landings
- Risk Level
  - Low
  - Percentage of near-runway accidents in this zone: 18% - 29% (percentage is high because of large area encompassed)



IN TRAFFIC PATTERN

**Basic Compatibility Policies**

- Normally Allow
  - Residential uses (however, noise and overflight impacts should be considered where ambient noise levels are low)
- Limit
  - Children's schools, large day care centers, hospitals, and nursing homes
  - Processing and storage of bulk quantities of highly hazardous materials
- Avoid
  - Outdoor stadiums and similar uses with very high intensities
- Prohibit
  - None




Refer to Chapter 3 for dimensions.

| | Maximum Residential Densities | Maximum Nonresidential Intensities | Maximum Single Acre |
|---|---|---|---|
| | Average number of dwelling units per gross acre | Average number of people per gross acre | 4x the Average number of people per gross acre |
| Rural | No Limit – See Note A | 150 – 200 | 600 – 800 |
| Suburban | No Limit – See Note A | 200 – 300 | 800 – 1,200 |
| Urban | No Limit – See Note A | No Limit – See Note B | No Limit – See Note B |
| Dense Urban | No Limit – See Note A | No Limit – See Note B | No Limit – See Note B |

Note A: Noise and overflight should be considered.
Note B: Large stadiums and similar uses should be avoided.

FIGURE 4G

## Safety Zone 6 – Traffic Pattern Zone

# ATTACHMENT 2
## Response to Comments

Update to the Tulare County
Comprehensive Airport Land Use Plan (CALUP)
Mitigated Negative Declaration (MND)
(SCH# 2012101039)

***Comment:*** *Letters from Native American Heritage Commission (NAHC), October 18 and 29, 2012. Signed by David Singleton, Program Analyst (attached)*

Mr. Singleton's letter affirms NAHC's designation as a Trusteee Agency; NAHC's authority per the California Environmental Quality Act (CEQA); NAHC's recommendation that Tulare County Airport Land Use Commission staff contact any applicable tribe from a list provided by NAHC which may be affected by the project; confidentiality of potential historic properties of religious or cultural significance protected by California Government Code (§6254(r)); and inadvertent discovery of human remains Per Public Resources Code Section 5097.98, California Government Code §627491 and Health and Safety Code Section 7050.5. Mr. Singleton's letter also identifies National Environmental Policy Act (NEPA) statutes and regulations applicable to Native American historical and cultural resources.

***Response:*** As noted in the MND at item V. Cultural Resources, the CALUP is limited in scope to public safety and aircraft noise issues; thus, no cultural resources will be affected. Further, the MND indicates that Sequoia Field Airport contains resources within the Sequoia Field Historical District that are listed in the National Registry of Historic Places and the California Register of Historic Places; however, as the structures are already established they are not affected by ALUC policies unless their use is changed. The MND concludes that the CALUP Update would result in no impacts to these resources.

***Comment:*** *Letter from Mr. Al Miller, Tulare County Fire Inspector, November 6, 2012(attached)*

Mr. Miller indicated that he had no comment regarding the CALUP.

***Response:*** No response is necessary.

***Comment:*** *Letter from Allison Shuklian, Environmental Health Specialist, Tulare County Health and Human Services Agency, November 6, 2012 (attached)*

Ms. Shuklian indicated that she had no comment regarding the CALUP.

***Response:*** No response is necessary.

***Comment:*** *Letter from California Department of Transportation, District 6, November 16, 2012. Signed by David Deel, Associate Transportation Planner (attached)*

In summary, the comments received from Mr. Deel concern potential impacts to Caltrans facilities such as:

Near Visalia Airport: State Route (SR) 99/Caldwell (Avenue 280) interchange, existing ramp acceleration and deceleration lengths, and reconstruction of the interchange to accommodate future land uses as this Caltrans facility was designed and constructed to serve a predominantly rural/agricultural area.

Near Porterville Airport: SR 190/Road 232 (Newcomb Street), SR 65/Avenue 136 (Scranton Avenue), and SR 65/Avenue 128 (Tea Pot Dome Avenue) may result in the need for improvements or reconstruction of existing intersections based on the continued growth of Porterville Airport.

Near Tulare Municipal Airport: SR 99/Avenue 200 interchange "is an old, substandard interchange" that was designed to serve a predominantly rural/agricultural area. Existing acceleration and deceleration ramp lengths will be incompatible with anticipated increase in project traffic volumes.

Near Woodlake Airport: Future eastern boundary of airport will traverse SR 245. Caltrans Encroachment Permit and future Right-of-Way dedication may be required.

***Response:*** As noted in the MND at item XVI. Transportation/Traffic, the CALUP is limited in scope to public safety and aircraft noise issues; thus, none of the proposed policies would have any direct affect upon street or intersection capacity or current levels of service. The MND concludes that the CALUP Update would result in no impacts to these resources.

***Comment:*** *Letter from San Joaquin Valley Air Pollution Control District, November 19, 2012. Signed by Jessica Willis, Air Quality Specialist (attached)*

The San Joaquin Valley Air Pollution Control District (Air District or District) recommends that each project with the scope of the CALUP be further evaluated for potential impacts on air quality and future growth may be subject to District Rule 9510 (Indirect Source Review). Further, the Air District indicates that the future growth as identified in CALUP [may] be subject to various District rules and regulations.

***Response:*** As noted in the MND at item III. Air Quality, the CALUP is limited in scope to public safety and aircraft noise issues and of itself does not result in new development. Thus, none of the proposed policies would have any direct affect upon air quality, but may have a beneficial indirect affect by maintaining low residential densities within each Airport Influence Area. The MND concludes that the CALUP Update would result in no impacts to this resource.

***Comment:*** *Letter from City of Visalia, November 26, 2012. Signed by Josh McDonnell, Assistant Community Development Director/City Planner (attached)*

The CALUP as currently drafted, conflicts with the City's current General Plan Land Use Map as well as the City's Preliminary Preferred Land Use Plan prepared as part of the City's

Comprehensive General Plan Update. City staff is in receipt of correspondence from County staff suggesting policy revisions that, if implemented, would largely resolve these conflicts. Also, an attached e-mail provided by Mr. Mike Olmos, Assistant City Manager, City of Visalia on November 20, 2012 indicated a desire that the revised CALUP and a revised MND be re-circulated.

***Response:*** As noted in the MND at item X. Land Use and Planning b., the California Airport Land Use Planning Handbook (Handbook), which is the guidance document used by Airport Land Use Commission staff to update the CALUP, contains a discussion indicating that consistency between a city's general plan and an Airport Land Use Commission's airport land use compatibility plan does not require that the respective land uses be identical. The Handbook indicates that consistency means only that the concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the compatibility to which the comparison is being made.

As indicated in Mr. McDonnell's correspondence, the City's staff and County staff agree that minor policy language changes would resolve the differences. In summary, the City requested revision to Footnote No. 10 on Table 3-1 in the Draft CALUP from Safety Zones 1 through 6 to reflect Safety Zones 1 through 5. County staff concurred and has included this amendment into the Draft CALUP and will be recommending that the ALUC adopt this amendment. The second City request involves revision to Table 3-1 to indicate that Retail Commercial (Aircraft Fuel, Aircraft Sales, Aircraft Repairs, and Aircraft Flying Schools) is compatible on Airport Property within Safety Zone 6. County staff concurred and has included this amendment into the Draft CALUP and will be recommending that the ALUC adopt this amendment. The third City request involved imposition of residential density limits on Safety Zone 6. County staff has determined that this proposal is consistent with the Handbook; however, staff proposes including a footnote indicating that affected jurisdictions may impose greater density restrictions through their respective general plans and zoning.

In response to Mr. Olmos comment regarding re-circulation of a revised MND, County staff states as follows: on October 25, 2012, the County circulated the Draft MND pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines Section 15073 (Public Review of a Proposed Negative Declaration or Mitigated Declaration). As applied here, pursuant to CEQA Guidelines Section 15073.5(c), recirculation of a Negative Declaration Prior to Adoption the County is not required -- in this case as explained above -- on the grounds that no new avoidable significant effects have been identified form public comments, and that new information has been added merely to clarify, amplify, or makes insignificant modifications to the MND. As noted above, City and County staff agree that the three proposed minor language changes would resolve the City's concerns. Based on these minor amendments and the proposed revisions as noted above, re-circulation of the MND is neither necessary nor required. Further, the proposed revisions are not inconsistent with the project description and are consistent with the relevant state CALUP handbook.

## References:

Letters from Native American Heritage Commission (NAHC), October 18 and 29, 2012. Signed by David Singleton, Program Analyst.

Letter from Mr. Al Miller, Tulare County Fire Inspector, November 6, 2012.

Letter from Allison Shuklian, Environmental Health Specialist, Tulare County Health and Human Services Agency, November 6, 2012.

Letter from California Department of Transportation, District 6, November 16, 2012. Signed by David Deel, Associate Transportation Planner.

Letter from San Joaquin Valley Air Pollution Control District, November 19, 2012. Signed by Jessica Willis, Air Quality Specialist.

Letter from City of Visalia, November 26, 2012. Signed by Josh McDonnell, Assistant Community Development Director/City Planner.

California Airport Land Use Planning Handbook, State of California Department of Transportations, Division of Aeronautics, October 2011; page 4-25.
http://www.dot.ca.gov/hq/planning/aeronaut/documents/alucp/AirportLandUsePlanningHandbook.pdf

California Public Utilities Code, Section 21001 et seq. relating to State Aeronautics Act, prepared by State of California Department of Transportations, Division of Aeronautics, February 2011; pages 26-28.
http://www.dot.ca.gov/hq/planning/aeronaut/documents/regulations/PUC_SAA.pdf

ATTACHMENT 2, EXHIBIT 'D'

**Comment Letters Received**

STATE OF CALIFORNIA — Edmund G. Brown, Jr., Governor

**NATIVE AMERICAN HERITAGE COMMISSION**
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net


October 29, 2012

Mr. Jason Garcia-LoBue, Planner
**Tulare County Resource Management Agency**
5961 S. Mooney Boulevard
Visalia, CA 93277-9394

Re: SCH#2012101039 CEQA Notice of Completion; proposed Mitigated Negative Declaration for the **"Tulare County Comprehensive Airport Land Use Plan Update Project;"** located at airports throughout the County; Tulare County California

Dear Mr. Garcia-LoBue:

The NAHC is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendment s effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously.

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r ).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

**NATIVE AMERICAN HERITAGE COMMISSION**
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net


October 18, 2012

Mr. Jason Garcia-LoBue, Planner
**Tulare County Resource Management Agenc**
5961 S. Mooney Boulevard
Visalia, CA 93277-9394

Re: SCH#2012101039; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the **"Tulare County Airport Comprehensive Airport Land Use :an Update Project;"** located in Tulare County California

Dear Mr. Garcia-LoBue:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson. (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendment s effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that lead agencies conduct a Sacred Lands File search of the proposed 'area of potential effect' (APE) as part of their due diligence.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r ).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts**
**Tulare County**
**October 18, 2012**

Santa Rosa Rancheria
Rueben Barrios Sr., Chairperson
P.O. Box 8 — Tache
Lemoore , CA 93245 — Tachi
(559) 924-1278 — Yokut
(559) 924-3583 Fax

Wuksache Tribe
John Sartuche
1028 East "K" Avenue — Wuksache
Visalia , CA 93292
signsbysarch@aol.com
(559) 636-1136

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589 — Yokuts
Porterville , CA 93258
chairman@tulerivertribe-nsn.
(559) 781-4271
(559) 781-4610 FAX

Jennifer Malone
637 E Lakeview — Wukchumni
Woodlake , CA 93286 — Tachi
indianpopup@sbcglobal.net — Yowlumni
559-564-2146 - home
559-280-0712 - cell

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct. — Foothill Yokuts
Salinas , CA 93906 — Mono
kwood8934@aol.com — Wuksache
831-443-9702

Santa Rosa Tachi Rancheria
Lalo Franco, Cultural Coordinator
P.O. Box 8 — Tachi
Lemoore , CA 93245 — Tache
(559) 924-1278 - Ext. 5 — Yokut
(559) 924-3583 - FAX

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226 — Tubatulabal
Lake Isabella, CA 93240
(760) 379-4590
(760) 379-4592 FAX

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012101039; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Tulare County Comprehensive Airport Land Use Plan Update; located in Tulare County, California.**

# RESOURCE MANAGEMENT AGENCY

## INTEROFFICE MEMORANDUM

November 6, 2012

**TO:** Michael Spata Project Planner

**FROM:** Al Miller, Tulare County Fire Inspector

**SUBJECT:** Case No. Airport Land Use PLAV

The Fire Department has no recommendations in response to this item.

If you have any questions please call Al Miller at 624-7058.

AM:vq

TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF ADMINISTRATION · KEVIN MARKS · DIRECTOR
ENVIRONMENTAL HEALTH SERVICES · VIVIAN NELSON, MSEE REHS · DIVISON MANAGER

Cheryl L. Duerksen, Ph.D.,
Agency Director

November 6, 2012

JASON GARCIA-LOBUE
RESOURCE MANAGEMENT AGENCY
5961 SOUTH MOONEY BLVD
VISALIA CA 93277

Re: Mitigated Negative Declaration –Tulare County Airport Land Use Plan Update

Dear Mr. Garcia-LoBue:

This office has reviewed the above referenced matter. Based upon our review, we have no comments for this project at this time.

Sincerely,

Allison Shuklian
Environmental Health Specialist
Environmental Health Services Division

DEPARTMENT OF TRANSPORTATION
DISTRICT 6
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7396
FAX (559) 488-4088
TTY (559) 488-4066

*Flex your power!*
*Be energy efficient!*

November 16, 2012

2135-IGR/CEQA
6-TUL-GEN-GEN
TULARE COUNTY COMPREHENSIVE
AIRPORT LAND USE PLAN UPDATE
SCH # 2012101039

Mr. Jason Garcia-LoBue, Project Planner
County of Tulare
Resource Management Agency
5961 S. Mooney Boulevard
Visalia, CA 93277

Dear Mr. Garcia-LoBue:

Thank you for the opportunity to review the Mitigated Negative Declaration (MND) for the Tulare County Comprehensive Airport Land Use Plan (CALUP) Update. The project is a countywide update to the Airport Land Use Policy in regards to safety, noise, height, and over flight policies. The update affects the Visalia, Tulare, Exeter, Woodlake, Sequoia, Eckert and Porterville Airports and their surrounding communities.

Caltrans has the following comments:

Proposed improvements for the Visalia, Porterville, Tulare, and Woodlake Airports include the extension and/or relocation of existing runways, in addition to land acquisition for airport expansion. Although the CALUP Update is limited to safety, noise, height, and over flight policies for the orderly growth and development of the various airports and the influence area surrounding the airports, changes proposed for future expansion of these airports may have an impact the State Highway System.

A single land use development project may not create significant impacts to the State Highway System. However, when combined with other land use developments within the airports boundary limits and influence area, cumulative impacts to the transportation/circulation system could be significant. Therefore, Caltrans may require, depending on the land use development proposed within each airport's boundary limits and influence areas, a traffic study to assess project-related impacts to the State Highway System and appropriate mitigation measures.

**Visalia Municipal Airport:**

In regards to the Visalia Municipal Airport, acquisition of approximately 563 acres to the southeast of the existing airport boundary is proposed for the recommended runway extension and future runway protection zone. The 563 acres runs along Caldwell Avenue (Avenue 280) and is approximately 1/3 mile east of the State Route (SR) 99/Caldwell Interchange. Although, no

development is proposed within the 563 acres and the zoning and General Plan designations are proposed to remain as "Agriculture", future development of this area for private or aviation use could potentially have significant impacts to the Caldwell Avenue interchange. The SR 99/Caldwell Avenue Interchange was designed and constructed to serve a predominately rural/agricultural area. The existing ramp deceleration and acceleration lengths will be incompatible with the anticipated increase in project traffic volumes due to development of property within the vicinity of the interchange. Continued growth at the airport and within the functional limits of the interchange will result in the need for reconstruction of the existing interchange.

**Porterville Municipal Airport:**

In regards to the Porterville Municipal Airport, acquisition of approximately 206 acres of land to the southeast of the existing airport boundary is proposed for the recommended runway extension and future runway protection zone. The Porterville Airport can be accessed from either:

- SR 190/Road 232 (Newcomb Street) which is approximately 1 mile north of the airport,
- SR 65/Avenue 136 (Scranton Avenue) which is approximately ¾ mile west of the airport or,
- SR 65/Avenue 128 (Tea Pot Dome Avenue) which is approximately ¾ mile west of the airport.

Continued growth at the Porterville Airport and within the functional limits of the above noted intersections may result in the need for improvements or reconstruction of the existing intersections.

**Tulare Municipal Airport:**

In regards to the Tulare Municipal Airport, land acquisition of 33 acres is proposed for the recommended runway extension and future runway protection zone.

The airport is currently served by the SR 99/Avenue 200 Interchange, which is an old, substandard interchange that was designed and constructed to serve a predominately rural/agricultural area. The existing ramp deceleration and acceleration lengths will be incompatible with the anticipated increase in project traffic volumes due to development of property within the vicinity of the interchange. Continued growth within the airport's influence area and within the functional limits of the interchange will result in the need for reconstruction of the existing interchange.

The State of California has an adopted Transportation Concept Report (TCR) for each of the State Routes that designates the ultimate right-of-way cross-section upgrades in the future. According to the TCR for SR 99, the Tulare Municipal Airport is adjacent to segment 15 which is currently classified as a 4 lane freeway. Under the 2025 Concept Facility and the Ultimate Transportation Corridor (UTC beyond 2025), this segment of SR 99 is planned as a six-lane freeway with auxiliary lanes. As a point of information SR 99 is currently in various stages of being widened from 4 lanes to 6 lanes starting in the community of Goshen and continuing south to Prosperity Avenue in the City of Tulare.

**Woodlake Municipal Airport:**

In regards to the Woodlake Municipal Airport, land acquisition of 23 acres is proposed for the

recommended runway extension and future runway protection zone. A portion of these acres are located on the east side of State Route (SR) 245, so that the future eastern boundaries of the airport will effectively traverse SR 245. Depending on the development and use of the proposed acquisition areas, a Caltrans Encroachment Permit and future Right-of-Way dedications may be required.

According to our Transportation Concept Report (TCR) for SR 245, the Woodlake Municipal Airport is adjacent to segment 1 which is classified under the 2035 Concept Facility as a two-lane conventional highway with possible improvements of adding turn lanes, signals and/or passing lanes. The Ultimate Transportation Corridor (UTC) beyond 2035 for SR 245 is for a four-lane conventional highway for Segment 1 and a two-lane conventional highway with improvements for the remainder of the route.

An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations."

In general, the number of lanes needed to meet the Ultimate Transportation Concept (UTC) for any Route is only a guideline. The minimum right-of-way is "subject to change" in urban and suburban areas where a Route also serves local circulation needs. The need to widen the roadway beyond the UTC may be necessary to maintain the target Level of Service (LOS). The local jurisdictions should endeavor to maintain adequate right-of-way to maintain the target LOS, which in an urban setting could exceed the UTC number of lanes. Where the State legislature has designated the Route as part of the Freeway and Expressway System, interchange and freeway right-of-way should be part of the General Plan so as not to adversely affect development. In some sections, additional right-of-way may be necessary to accommodate access to the local road system.

Comments from the Caltrans Division of Aeronautics will follow under separate letter.

Please be advised that any future development in the vicinity of a State Route, whether the entitlement is deemed by the lead agency to be discretionary or ministerial should be sent to Caltrans for review. If you have any questions, please call me at (559) 488-7396.

Sincerely,

DAVID DEEL
Associate Transportation Planner
District 6

cc: SCH # 2012101039
Mr. Ron Bolyard, Caltrans - Division of Aeronautics
Mr. Ted Smalley, Tulare County Association of Governments

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

November 19, 2012

Jason Garcia-LoBue
County of Tulare RMA
Planning Department
5961 S. Mooney Blvd.
Visalia, CA 93277-9394

**Project: Tulare County Comprehensive Airport Land Use Plan Update**

**District CEQA Reference No: 20120670**

Dear Mr. Garcia-LoBue:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration for the countywide update to the Tulare County Comprehensive Airport Land Use Plan (CALUP). The update will modify some Airport Land Use Commission (ALUC) policies and change some areas where these policies are applied in order to comply with California Public Utilities (PUC) requirements for a comprehensive land use plan that provides guidance for orderly growth of each airport and the surrounding area. The District offers the following comments:

1. The CALUP identifies the various Airport Master Plans and Airport Layout Plans that form the basis of the CALUP. These plans identify future growth of each airport within Tulare County. However, the CALUP itself does not include an emissions analysis for the proposed growth. As such, the District cannot make a determination as to the significance of potential impacts resulting from the growth and development identified in the CALUP. Therefore, the District recommends that each project within the scope of the CALUP be further evaluated for potential impacts on air quality.

2. As stated above, the CALUP identifies the various Airport Master Plans and Airport Layout Plans that form the basis of the CALUP. Some of these plans were adopted after March 1, 2006, the date that District Rule 9510 (Indirect Source Review) became effective. Therefore, future growth identified in the CALUP may be subject to District Rule 9510.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the CALUP constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

3. Future growth as identified in the CALUP be subject to District rules and regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: http://www.valleyair.org/rules/1ruleslist.htm.

4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Jessica Willis at (559) 230-5818.

Sincerely,

David Warner
Director of Permit Services

Jessica R. Willis

Arnaud Marjollet
Permit Services Manager

DW:jw

Cc: File

City of Visalia

Community Development
Planning Division

315 East Acequia Ave., Visalia, CA 93291

Tel: (559) 713-4359 Fax: (559) 713-4814

November 26, 2012

Mr. Hector Guerra, Chief Environmental Planner
Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277

**RE: Draft Tulare County Comprehensive Airport Land Use Plan**

Dear Mr. Guerra:

Thank you for the opportunity to review the Initial Study and proposed Mitigated Negative Declaration for the draft Comprehensive Airport Land Use Plan (CALUP). The CALUP as currently drafted, conflicts with the City's current General Plan Land Use map as well as the City's Preliminary Preferred Land Use Plan prepared in as part of the City's Comprehensive General Plan Update. However, City staff is in receipt of correspondence from County staff (please see Attachments) suggesting policy revisions that, if implemented, would largely resolve these conflicts.

The City appreciates County staff's commitment to recommend these revisions to the Airport Land Use Commission for consideration. The City reserves the right to comment on the Initial Study and proposed Mitigated Negative Declaration up until the conclusion of the public hearing.

Please do not hesitate to contact me at (559) 713-4364 with any questions or comments regarding this correspondence.

Sincerely,

Josh McDonnell, AICP
Assistant Community Development Director/City Planner

Attachments

Cc: Phil Cox, Tulare County Board of Supervisors
Jake Raper, Director, Tulare County RMA
Michael Spata, Assistant Director, Tulare County RMA
Steve Salomon, City Manager
Mike Olmos, Assistant City Manager

# RESOURCE MANAGEMENT AGENCY

5961 South Mooney Blvd
Visalia, CA. 93277
Phone (559) 624-7000
Fax (559) 730-2653

Michael C. Spata — Planning
Britt L. Fussel — Public Works
Roger Hunt — Administration/Community Development

JAKE RAPER JR, AICP, DIRECTOR


November 20, 2012

Mike Olmos, Assistant City Manager / Community Development
Josh McDonnell, AICP, Assistant Director / City Planner
City of Visalia
315 East Acequia Street
Visalia, CA 93278

Subject: Proposed Tulare County Airport Land Use Plan

Gentlemen:

As a follow-up to the recent meeting regarding the proposed Tulare County Airport Land Use Plan, please note that the attached e-mail (dated November 16, 2012) attempts to address your concerns.

Please let us know if your concerns have been addressed; and if not, we are willing to meet with you again for further discussion. Thank you for your consideration.

Sincerely,

Michael C. Spata
Assistant Director – Planning Branch

cc: Jake Raper, Jr., AICP, Director, Tulare County Resource Management Agency
Fred Brusuelas, AICP, Chief Planner, Tulare County Resource Management Agency
David Bryant, Special Projects, Tulare County Resource Management Agency
Jason Garcia-LoBue, Planner III, Tulare County Resource Management Agency

**From:** Michael Spata
**To:** Olmos, Michael
**CC:** Brusuelas, Fred; Cifuentez, Mario; Garcia-Lobue, Jason; McDonnell, Jo...
**Date:** 11/20/2012 4:02 PM
**Subject:** RE: Proposed Tulare County Airport Land Use Plan
**Attachments:** City of Visalia - ALUP - 11-20-12_1.pdf

Thank you, Mike, for your e-mail.

Your position is understood clearly; and within that context, this is to confirm that staff's recommendation will include what has been discussed regarding attached Item Nos. 1, 2 and 3.
Thank you again.

Regards, Mike

Michael C. Spata
Assistant Director - Planning
Tulare County
Resource Management Agency
5961 South Mooney Blvd.
Visalia, California 93277
Telephone: (559) 624-7000
Facsimile: (559) 730-2653
Email: MSpata@co.tulare.ca.us

Visit the new Economic Development Website at:
www.tularecountyeconomicdevelopment.org
>>> Michael Olmos <MOLMOS@ci.visalia.ca.us> 11/20/2012 3:53 PM >>>

Thanks for getting back to me quickly, Michael.

From your email, we understand the County Airport Plan and Neg Dec are moving forward as originally drafted. While the City recognizes the revisions worked out by Mario, Josh, Fred and Jason will be recommended to the ALUC for incorporation into the plan, we're concerned the ALUC might not adopt the revised language, and may instead choose to approve the original draft plan supported by the ND currently under review.

Our hope was that the draft Airport Plan and ND would be revised to incorporate the changes that are being worked out, the ND would be revised and re-circulated, and the ALUC would receive an updated draft Plan and ND. Knowing the original draft plan and ND will be presented to the ALUC, the City will submit comments on the ND to reinforce our support for the proposed revisions to the plan.

Our staff appreciates the work of Fred and Jason on plan revisions, and our folks will be present at the ALUC meeting to support the revised language.

Thanks again.
Mike O

***Mike Olmos***

*Assistant City Manager*
*City of Visalia*
**559.713.4332**
molmos@ci.visalia.ca.us

**From:** Michael Spata [mailto:MSpata@co.tulare.ca.us]
**Sent:** Tuesday, November 20, 2012 2:15 PM
**To:** Michael Olmos
**Cc:** Josh McDonnell; Carrie Carrillo; Clinton Sims; David Bryant; Fred Brusuelas; Hector Guerra; Jason Garcia-Lobue; Jake Raper Jr; Julia Roberts; Nina Dong
**Subject:** Re: Proposed Tulare County Airport Land Use Plan

Thank you, Mike, for your phone call and voice-mail.

Initially, I appreciate your comments to the effect that our response has addressed the city's concerns regarding Item Nos. 1 and 2. I also acknowledge that further consideration is sill being given to Item 3. For reference, please see attached letter and e-mail.

With respect to the proposed Mitigated Negative Declaration for the Airport Land Use Plan, we will treat the three requests as comments for which a response will be provided at the public hearing. The response will include, among other things, a staff recommendation consistent with RMA's attached e-mail of November 16th.

If you still want to meet to discuss this matter, please do not hesitate to do so. Thank you again.

Regards, Mike

Michael C. Spata

Assistant Director - Planning

Tulare County

Resource Management Agency

5961 South Mooney Blvd.

Visalia, California 93277

Telephone: (559) 624-7000

Facsimile: (559) 730-2653

Email: MSpata@co.tulare.ca.us

Visit the new Economic Development Website at:

www.tularecountyeconomicdevelopment.org

>>> Carrie Carrillo 11/20/2012 8:04 AM >>>

Good Morning,

Please see attached correspondence from Michael C. Spata, Assistant RMA Director - Planning regarding the Proposed Tulare County Airport Land Use Plan.

Thank you

Carrie Carrillo
Secretary II
Tulare County RMA
(559) 624-7015

**From:** Jason Garcia-Lobue
**To:** josh.mcdonnell@ci.visalia.ca.us
**CC:** Brusuelas, Fred; Cifuentez, Mario; Kimball, Ben; Raper Jr, Jake; Spa...
**Date:** 11/16/2012 1:18 PM
**Subject:** Requests by the City of Visalia re: Proposed Tulare County Airport Land Use Plan

Good Afternoon Mr. McDonnell,

We are generating this email to follow up on the phone messages left by Fred Brusuelas and me on November 15 and November 16, 2012.

Specifically, we have reviewed the requests by City of Visalia staff made during the November 9, 2012 meeting with County staff regarding the proposed Tulare County Comprehensive Airport Land Use Plan Update. As such, we wish to respond accordingly.

Request 1 - The city requested that the County revise Footnote No. 10 on Table 3-1 in the Draft Comprehensive Airport Land Use Plan from Safety Zones 1-6 to reflect Safety Zones 1-5. We have reviewed this request and it appears consistent with the State's Airport Land Use Planning Handbook. We will include this as a proposed amendment to the Draft plan that has circulated.

Request 2- The city has requested that the County revise Table 3-1. Specifically, the request was to indicate that Retail Commercial (Aircraft Fuel, Aircraft Sales, Aircraft Repairs, and Aircraft Flying Schools) is a compatible use within Safety Zone 6. We have reviewed this request and will add an additional footnote allowing this as a compatible use on airport property.

Request 3- Density Limit in Table 3-2 - The city has requested that a residential density limit be imposed on Safety Zone 6. We have reviewed this request and have determined that the proposed "no limit" density appears consistent with the State's Airport Land Use Planning Handbook. However, we propose adding a footnote that indicates that affected jurisdictions may impose greater density restrictions through their general plans and zoning. In this way, the city has greater flexibility through its planning and zoning process to determine appropriate densities and limitations.

We believe that we have addressed all of the city's requests. We will follow up this email with a letter from the Resource Management Agency. Please let us know if you need further clarification or have any questions. Thank you for your consideration.

Jason Garcia-LoBue-Countywide Planner III
Tulare County RMA
5961 S. Mooney Blvd.
Visalia, California 93277
559.624.7000
jgarcia-lobue@co.tulare.ca.us

# APPENDIX G

# ALUC REVIEWS

# ALUC Reviews are based upon the nature of the project

## Airport Master Plan Update

PUC Section 21676(c) requires that prior to adoption of an amendment of a Airport Master Plan, the Plan shall be referred to the ALUC who shall determine if the proposed change(s) are consistent with the CALUP.

## General Plan Update Community Plan Update and/or Change to Zoning Code

Will the proposed amendment, update, or change affect any lands within an established Airport Influence Area defined in the CALUP? (See CALUP Section 2.2.3)

**NO** → No further action is required by the ALUC.

**YES** →

PUC Section 21676(b) requires that prior to the amendment of a general plan or specific plan, or zoning ordinance or building regulation that affects lands within an established Airport Influence Area the proposal shall be referred to the ALUC who shall determine if the proposed change(s) are consistent with the CALUP.

## Private Development Project

No matter where it is located in Tulare County, does the Project propose any structure taller than 200 feet at its site?

**YES** → The Project requires review by both the Federal Aviation Administration (FAA) and the ALUC (See CALUP Section 2.3)

**NO** →

Based on parcel level inquiries to the County GIS, is any part of the Project located within an Airport Influence Area defined in the CALUP? (See CALUP Section 2.2.3)

**NO** → No further action is required by the ALUC.

**YES** →

Will the Project require a change in zoning; a change to the current General Plan or Community Plan; or creation of a new or amendment of an existing Specific Plan?

**YES** →

PUC Section 21676(b) requires that prior to the amendment of a general plan or specific plan, or zoning ordinance or building regulation that affects lands within an established Airport Influence Area the proposal shall be referred to the ALUC who shall determine if the proposed change(s) are consistent with the CALUP.

**NO** →

Will the proposed Project include any public or private school facilities?

**YES** → The Tulare County ALUC has determined that when such activities are located within an established airport influence area the potential public safety risks require further review and that the project must be submitted to the ALUC for a consistency finding.

**NO** →

Does the proposed Project include any of the following features:

- water body or food source that attracts large concentrations of birds
- activities that generate smoke or require storage of large quantities of flammable materials
- include materials or processes that reflect sunlight or produce flashing red, amber, white, green, or blue lights
- activities that may generate electrical interference
- activities that may generate thermal or other energy that creates or contributes to wind turbulence

**NO** → No further action is required by the ALUC.

## Public Development Project or Land Acquisition

Based on parcel level inquiries to the County GIS, is any part of the proposed public Project located within an Airport Influence Area defined in the CALUP? (See CALUP Section 2.2.3)

**NO** → No further action is required by the ALUC.

**YES** →

Will the proposed public project include a property acquisition for a public function or construction of a grade school, intermediate school, high school, or community college?

**NO** → No further action is required by the ALUC.

**YES** →

PUC Section 21655 requires that any State Agency proposing property acquisition or construction within two miles of an airport runway requires an ALUC consistency review.

If the public project includes a school as noted above, ALUC review documentation may need to include a Caltrans investigative report.