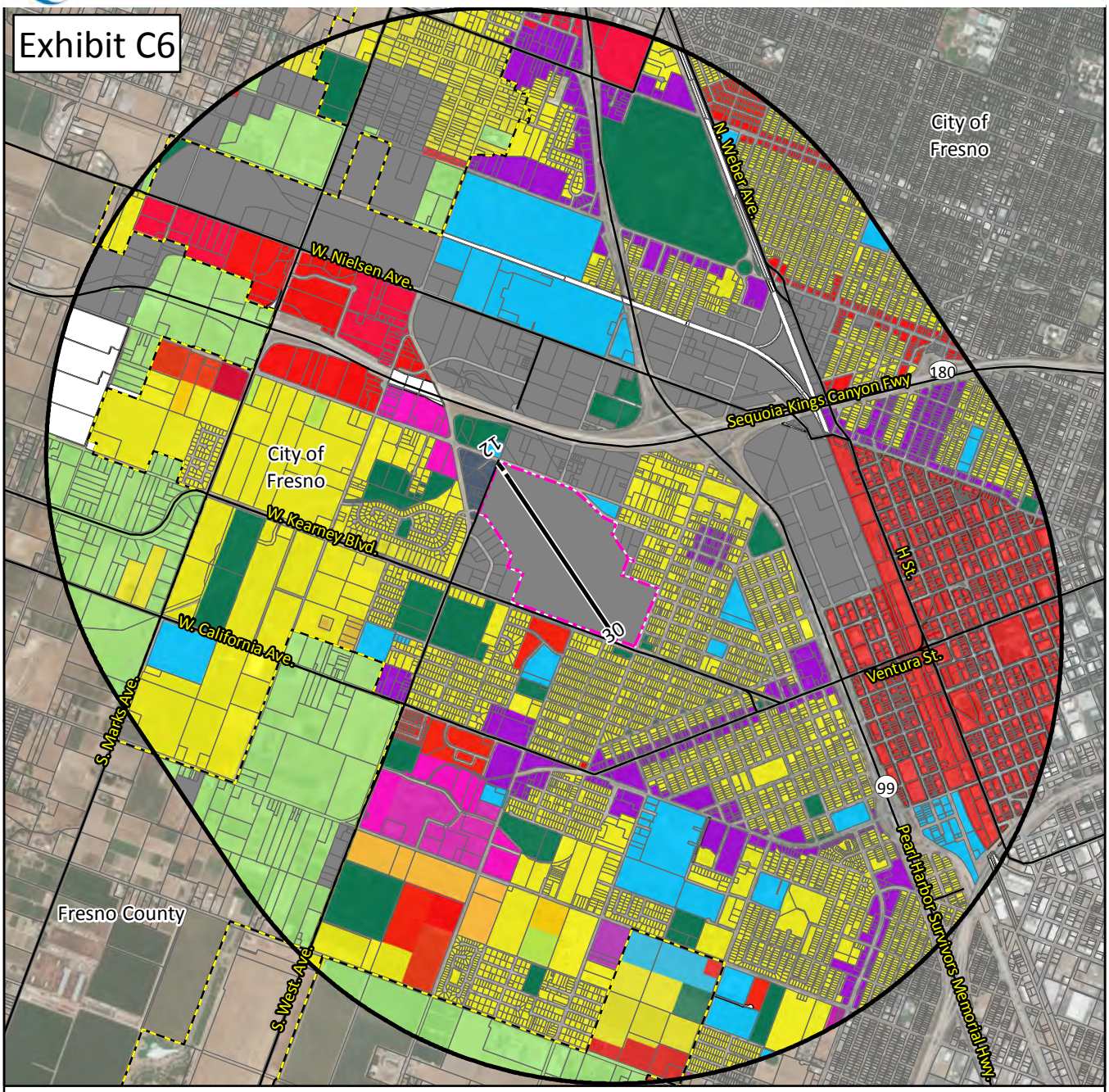
# Exhibit C6




## LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

Zoning[3]

- Mobile Home Park
- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Commercial
- Office
- Industrial
- Public
- Open Space
- Agriculture
- No Data

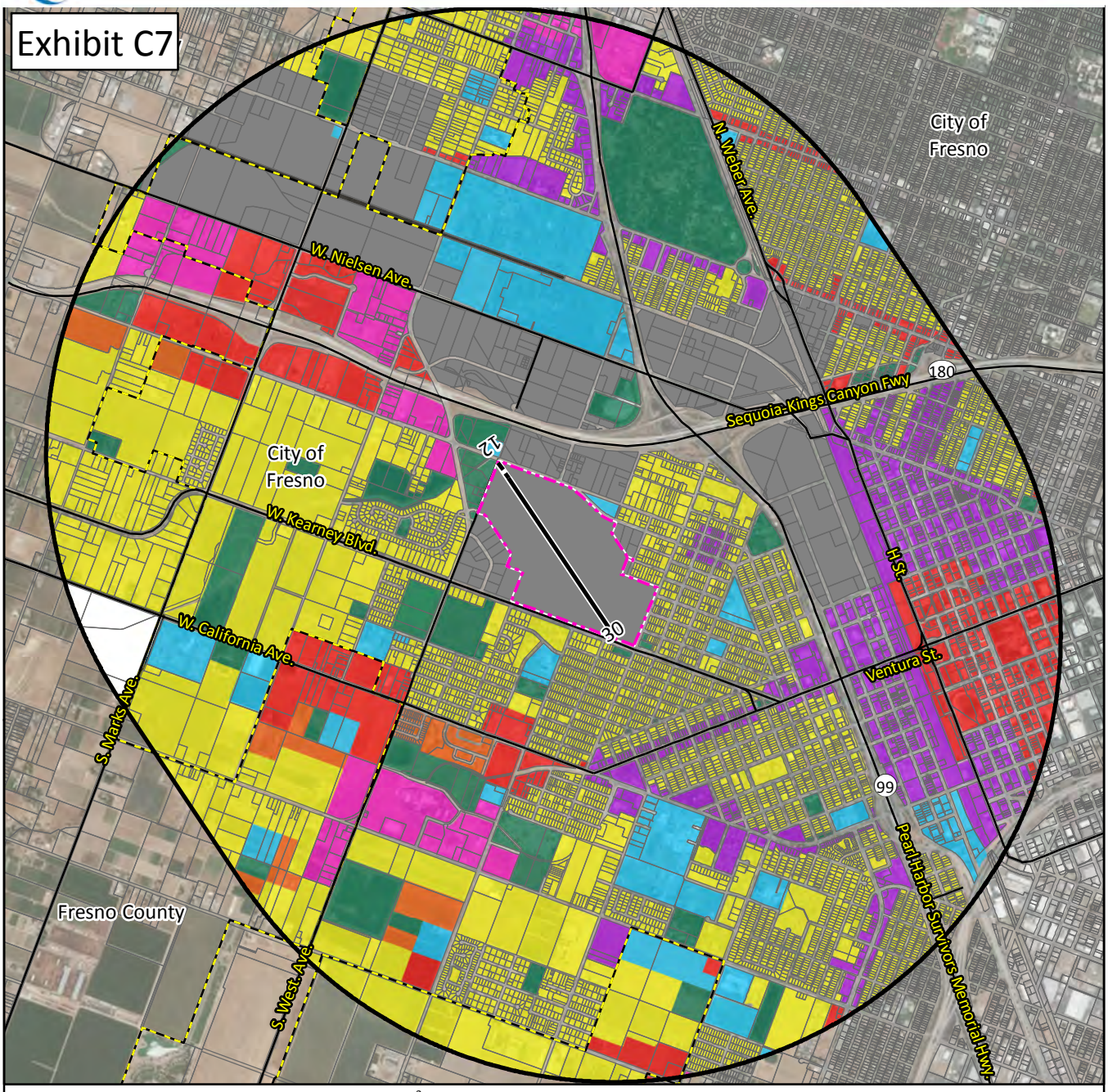
N

0 3,000 6,000

1" = 3,000'

[1]Fresno Chandler Airport Layout Plan (2010).
[2]AIA drawn from Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]City of Fresno Zoning, Fresno County Zoning.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit C7




## LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

General Plan[3]

- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Commercial
- Office
- Industrial
- Public
- Open Space
- Transportation/ROW
- No Data

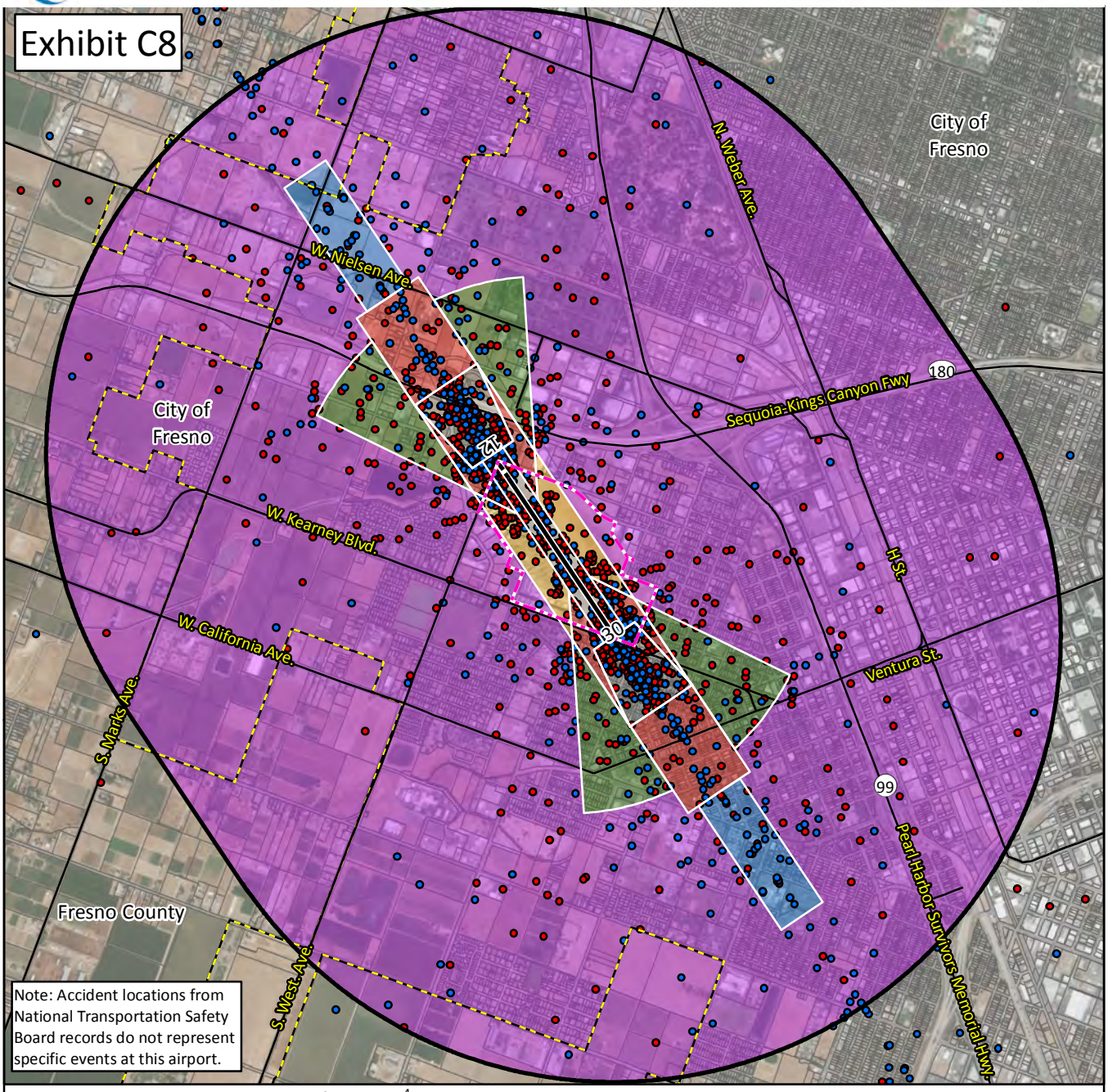
N

0 3,000 6,000

1" = 3,000'

[1]Fresno Chandler Airport Layout Plan (2010).
[2]AIA drawn from Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]City of Frsno General Plan
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit C8




## LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Arrival Accidents[2]
- Departure Accidents[2]
- Airport Influence Area (AIA)[3]

Safety Zones[4]

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

N

0 3,000 6,000

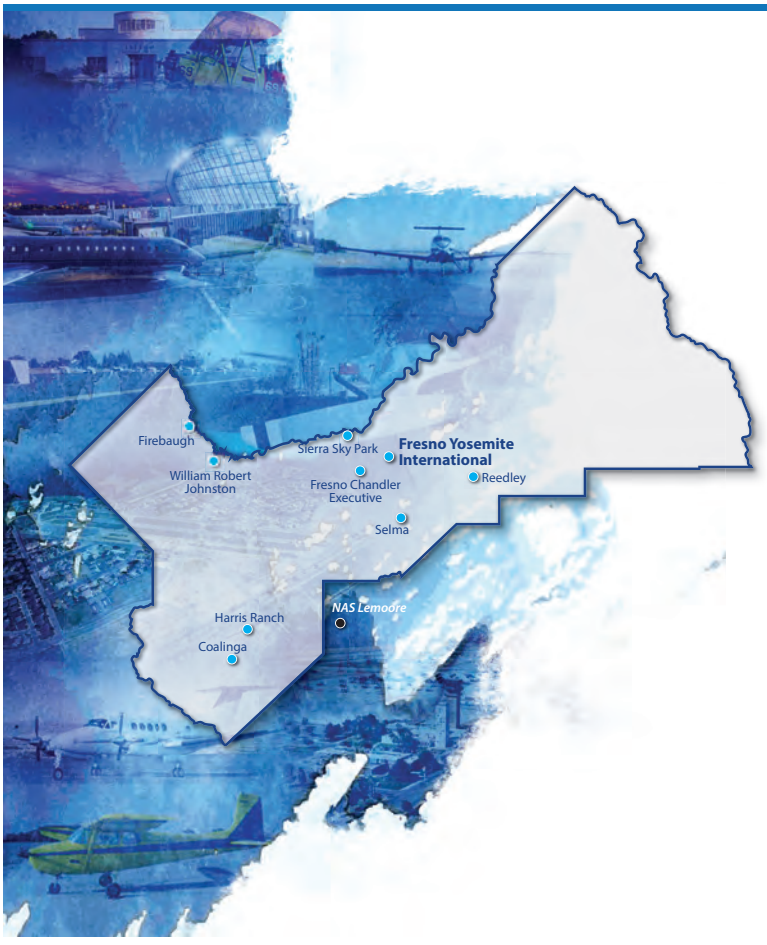
1" = 3,000'

[1]Fresno Chandler Airport Layout Plan (2010).
[2]California Airport Land Use Planning Handbook, 2011. Normalized from airports in United States.
[3]AIA drawn from Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

Fresno Council of Governments

Appendix D

# FRESNO YOSEMITE INTERNATIONAL AIRPORT



# Appendix D: Fresno Yosemite International Airport

Appendix D provides an overview of Fresno Yosemite International Airport's (Airport) setting, airport influence area (AIA), safety zones, noise, and airspace and overflight areas. This Appendix also discusses existing and planned land uses, as well as current and future Airport facilities.

Fresno Yosemite International Airport is owned and operated by the City of Fresno. The Airport is approximately five miles northeast of downtown Fresno. The 2017 – 2021 *National Plan of Integrated Airport Systems* classifies the Airport as a small hub primary facility, and the 2013 *California Aviation System Plan* (CASP) considers it a primary small hub metropolitan airport. The Airport sits at an elevation of 336 feet above mean sea level. The Airport is a joint use civilian and military facility used by commercial air carriers, air cargo operators, charter operators, the State of California, general aviation, and the United States military. The California National Guard uses a 58-acre portion of the southeastern part of the Airport. The Army National Guard, the California Division of Forestry, corporate aviation businesses, and two fixed base operators also lease facilities from the Airport.

## *SAFETY ZONES*

The AIA and Safety Zones for Fresno Yosemite International Airport are shown on **Exhibit D1**. Figure 3B of the California Airport Land Use Planning Handbook (Handbook) provides example zones for airports, which are differentiated by runway length. The Handbook zone examples are provided as a starting point for developing safety zones specific to an airport. As discussed below, there are two runways at Fresno Yosemite International Airport: Runway 11L-29R is 9,539 feet long and Runway 11R-29L is 8,008

feet long. The Federal Aviation Administration (FAA)-approved Airport Layout Plan (ALP) identifies extending the length of both runways. Using these extended dimensions, the Large Air Carrier Runway classification was assumed for both runways. For this plan, the outermost zone in the Handbook examples was replaced by the 14 CFR Part 77 Conical Surface, Outer Approach Transitional Surface, and Precision Approach Surface which also represent the airspace and overflight review area boundaries. The Outer Approach Transitional Surface and Precision Approach Surface are used at airports with runways that have a Precision Instrument Approach such as Fresno Yosemite International Airport. Additional information regarding the safety compatibility zones can be found in **Appendix M**.

## *NOISE*

### AIRPORT ACTIVITY

**Exhibit D2** depicts the forecast 2022 noise exposure contours from the Fresno Yosemite International Airport Draft Noise Exposure Map Update dated July 2017. It is assumed that these noise contours reflect long range noise conditions at the airport.

## *AIRSPACE AND OVERFLIGHT*

**Exhibit D3** depicts the Airspace Plan from the 2013 Fresno Yosemite International Airport Master Plan. This exhibit includes the 14 CFR Part 77 Conical Surface, Outer Approach Transitional Surface, and Precision Approach Surface which make up the Airport Influence Area for Fresno Yosemite International Airport.

## *AIRPORT INFORMATION*

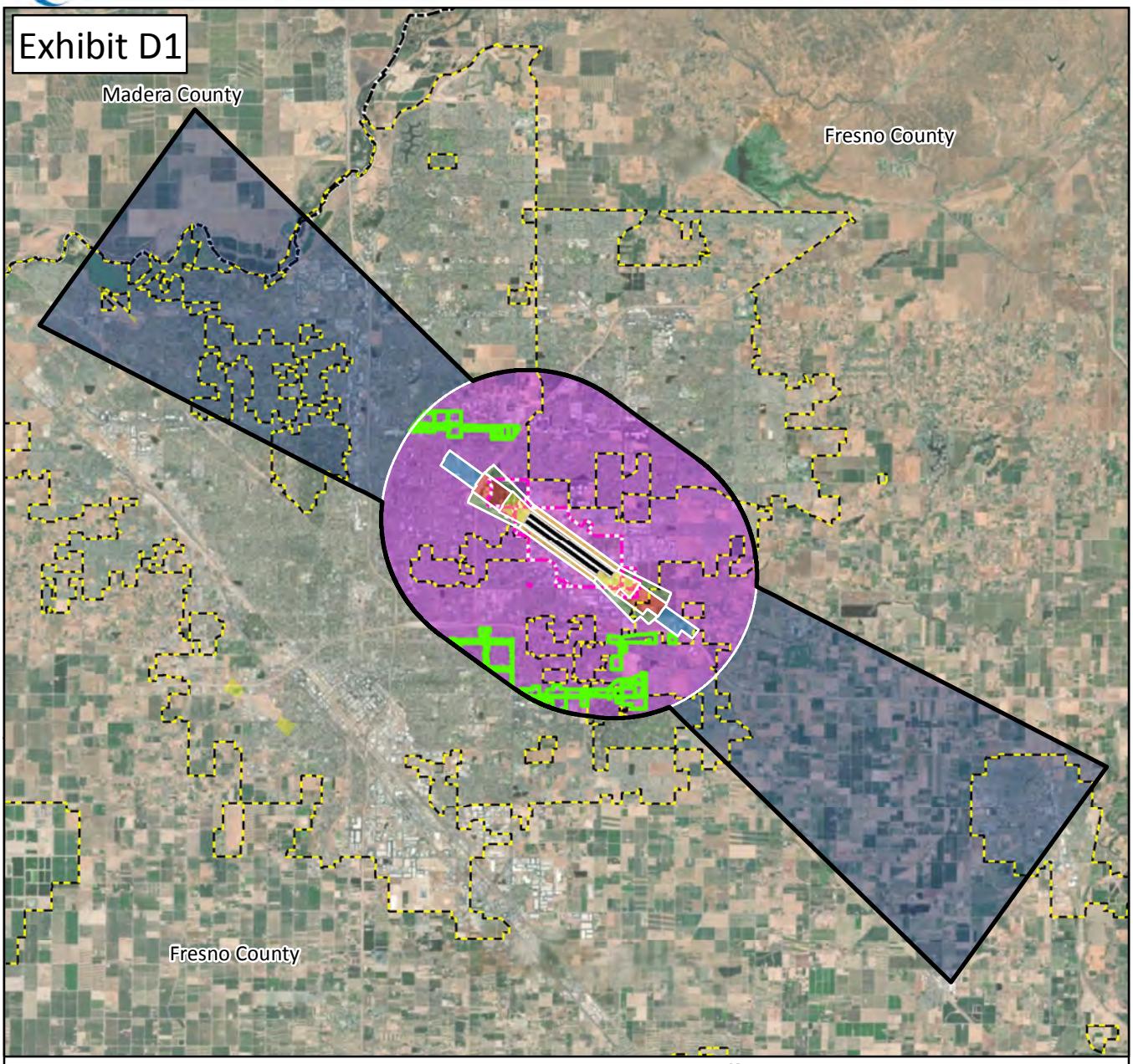
### AIRPORT FACILITIES

**Table D1** summarizes the details of the runway facilities at the Airport and **Exhibit D4** shows the Airport Layout Plan (January 2013).

The Airport has two parallel runways, Runway 11L-29R and Runway 11R-29L. Runway 11L-29R is 9,539 feet long and 150 feet wide. It is grooved asphalt and in good condition. Runway 11L has a left-handed traffic pattern and Runway 29R has a right-handed traffic pattern. Runway 11L-29R can withstand up to 250,000 pounds. Its pavement markings are precision and in good condition. The runway has high intensity runway lighting (HIRL) with an approach lighting system on Runway 29R only. There is a touchdown point on both runway ends; however, only Runway 29R is lighted. There are runway end identifier lights (REILs) on both runway ends as well. Runway 11L-29R has both visual and instrument approach aids.

Runway 11R-29L is 8,008 feet long and 150 feet wide. It is grooved asphalt and considered in good condition. Runway 11R has a right-handed traffic pattern and Runway 29L has a left-handed traffic pattern. Runway 11R-29L also has a pavement bearing strength of 250,000 lbs. with precision runway pavement

# Exhibit D1




LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Municipal Boundary
- Airport Influence Area (AIA)[2]
- Urban[3]

Safety Zones[4]

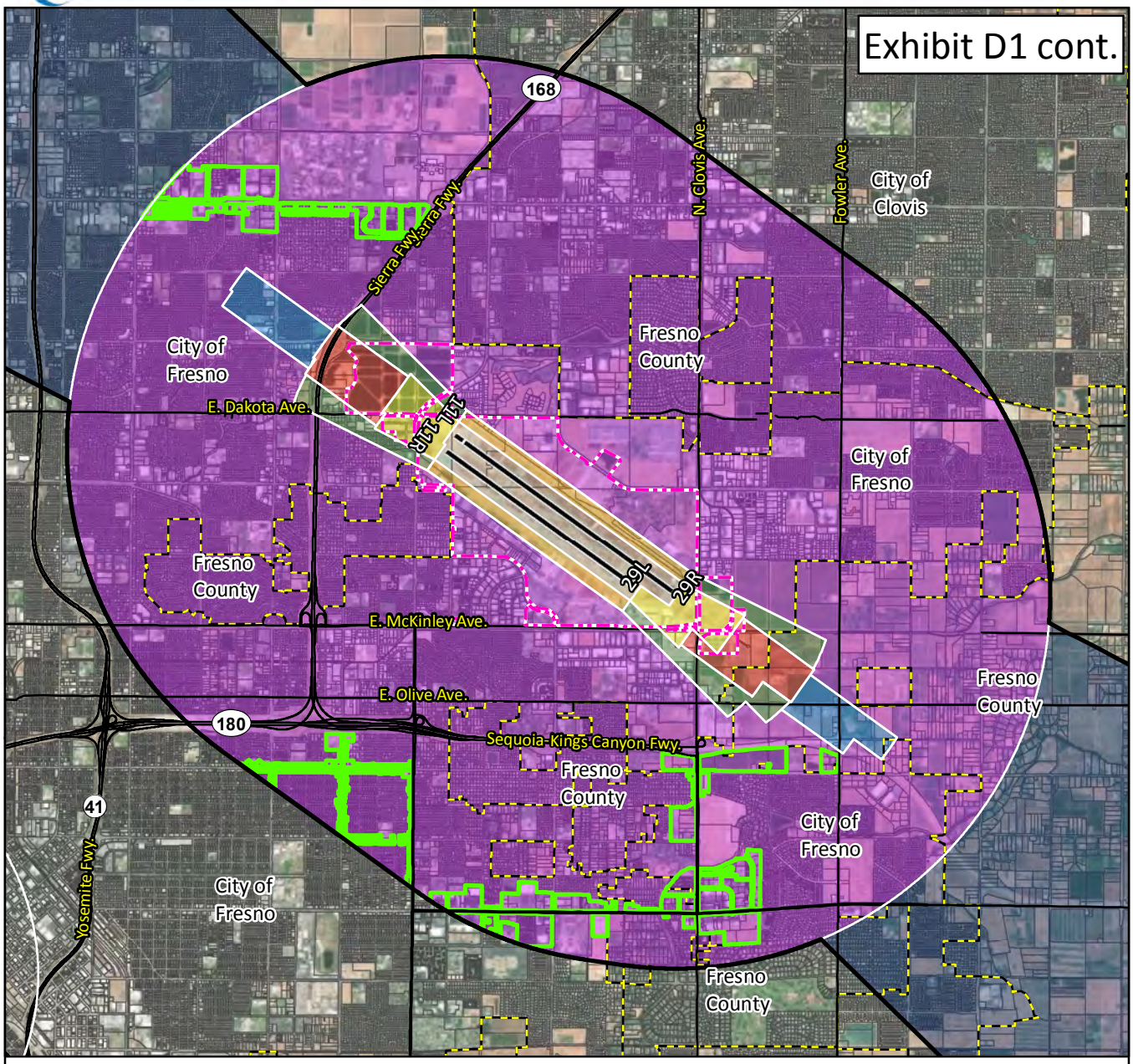
1. Runway Protection Zone
2. Inner Approach/Departure Zone
3. Inner Turning Zone
4. Outer Approach/Departure Zone
5. Sideline Zone
6. Traffic Pattern Zone
7. Precision Approach Zone

N

0 15,000 30,000

1" = 15,000'

[1]FresnoYosemite Intl. Airport Layout Plan (2013)
[2]AIA drawn from Part 77 Conical and Outer-Transitional surfaces. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]City of Fresno, 2018
[4]Figure 3B, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, ESRI Basemap Imagery (2016).




LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]
- Urban[3]

Safety Zones[4]

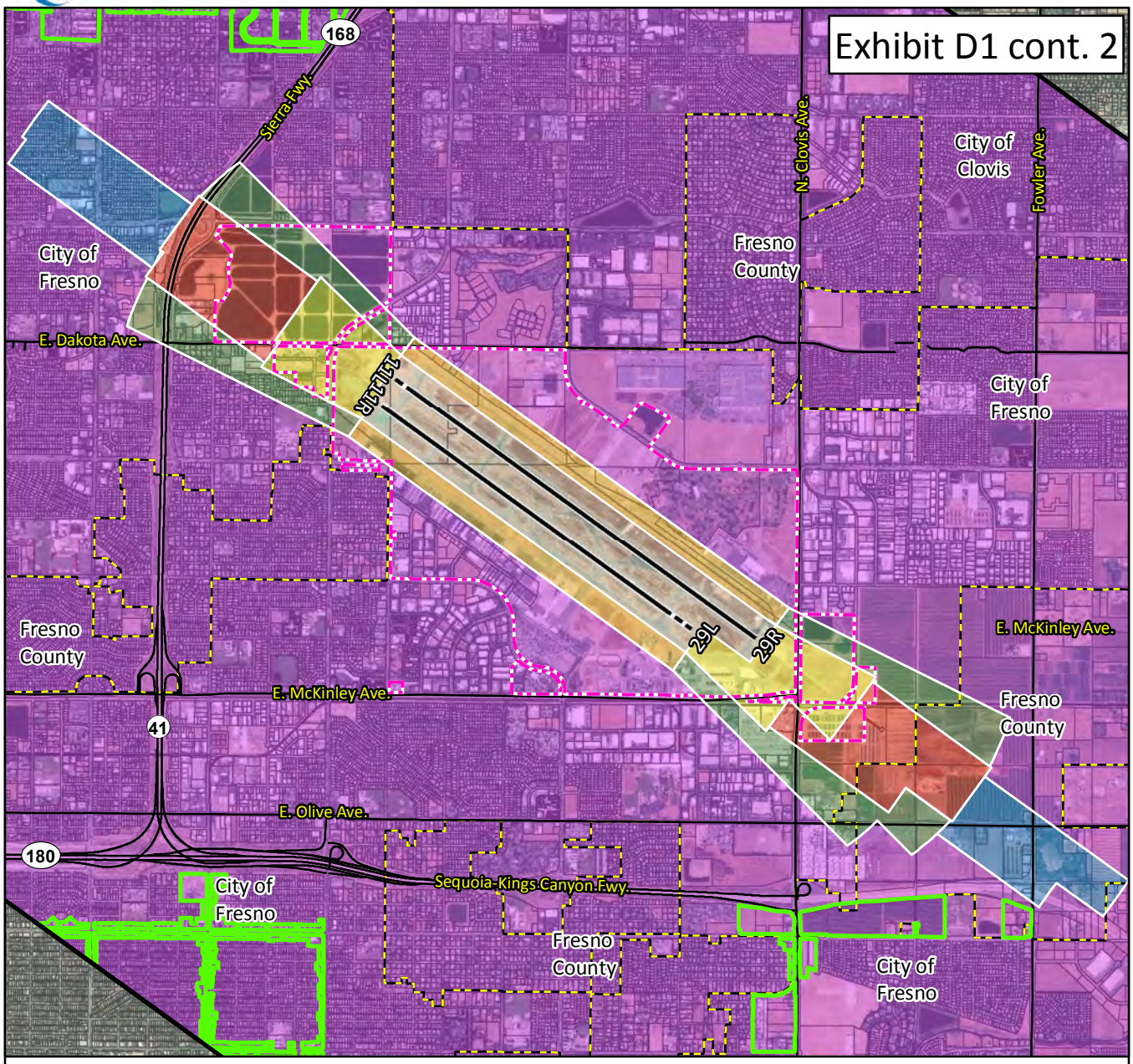
1. Runway Protection Zone
2. Inner Approach/Departure Zone
3. Inner Turning Zone
4. Outer Approach/Departure Zone
5. Sideline Zone
6. Traffic Pattern Zone
7. Precision Approach Zone

N

0 6,000 12,000

1" = 6,000'

[1]FresnoYosemite Intl. Airport Layout Plan (2013)
[2]AIA drawn from Part 77 Conical and Outer-Transitional surfaces. See 14 CFR, Subchapter E, Part 77, §77.25.
[3] City of Fresno, 2018.
[4]Figure 3B, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).




LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]
- Urban[3]

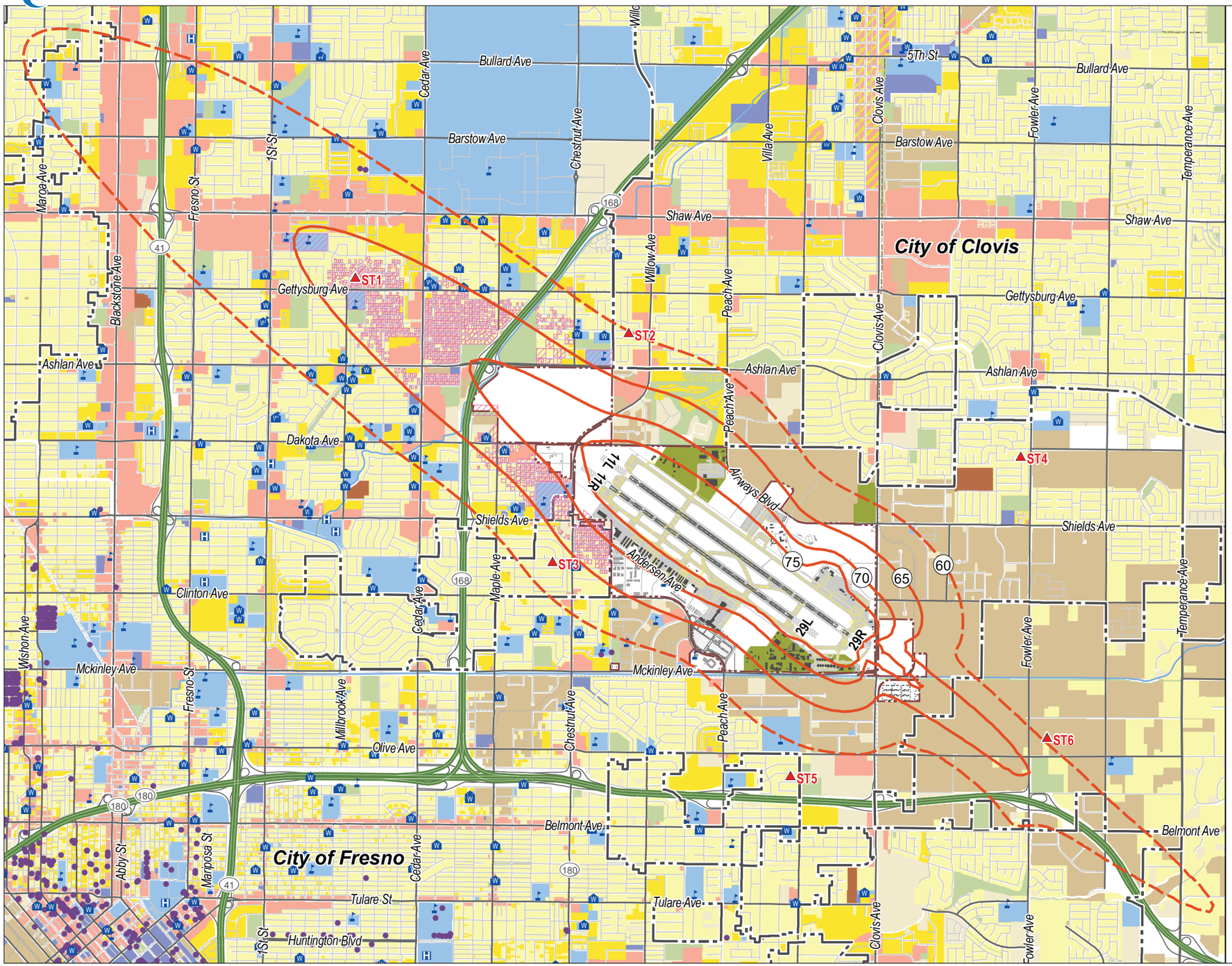
Safety Zones[4]

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

N 0 3,500 7,000

1" = 3,500'

[1]FresnoYosemite Intl. Airport Layout Plan (2013)
[2]AIA drawn from Part 77 Conical and Outer-Transitional surfaces. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]City of Fresno, 2018.
[4]Figure 3B, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).




LEGEND

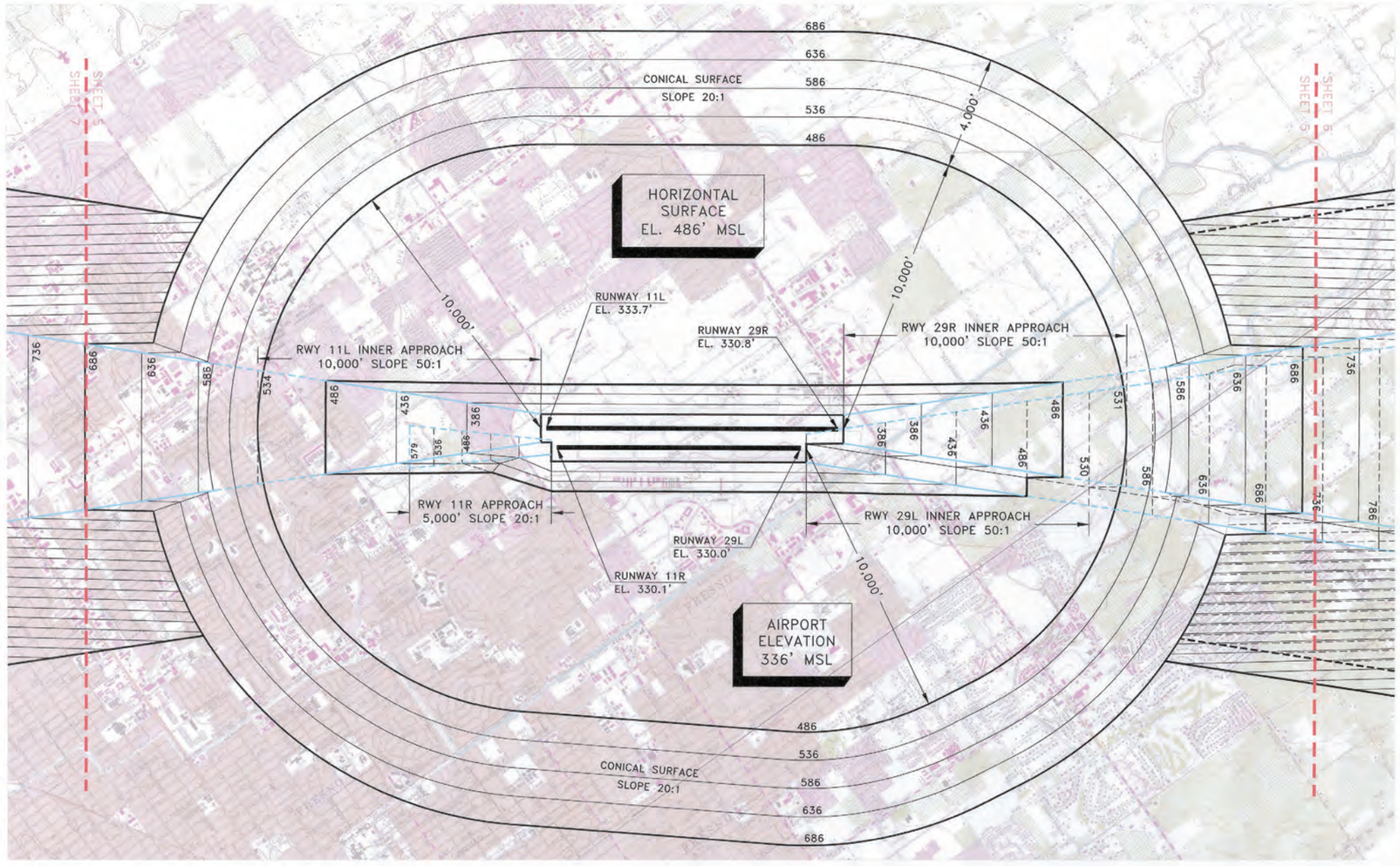
- Forecast (2022) NEM Contour (65-75 dB CNEL)
- Forecast (2022) NEM Contour (60 dB CNEL)
- ST# Noise Monitor Location
- Airport Boundary
- Runway
- Taxiway / Apron
- Airport Buildings
- Municipal Boundary
- Highways
- Major Roads
- Local Roads
- Railroad
- Residential Use
- Multi-Family Residential
- Mobile Homes
- Public Use 1 (School, Place of Worship, Hospitals)
- Public Use 2 (Government, Transportation, Parking)
- Military Use
- Recreational / Open Space
- Commercial Use
- Industrial Use
- Vacant / Undefined
- Water
- Sound Insulated Property
- School
- Library
- Place of Worship
- Hospital
- Historic Site

*Service Layer Credits: Fresno County GIS; City of Fresno, CA; City of Clovis, CA; California Department of Water Resources (DWR); Environmental Systems Research Institute (ESRI);*

0 1" 2" 3"

0 2,000 4,000 8,000 Feet

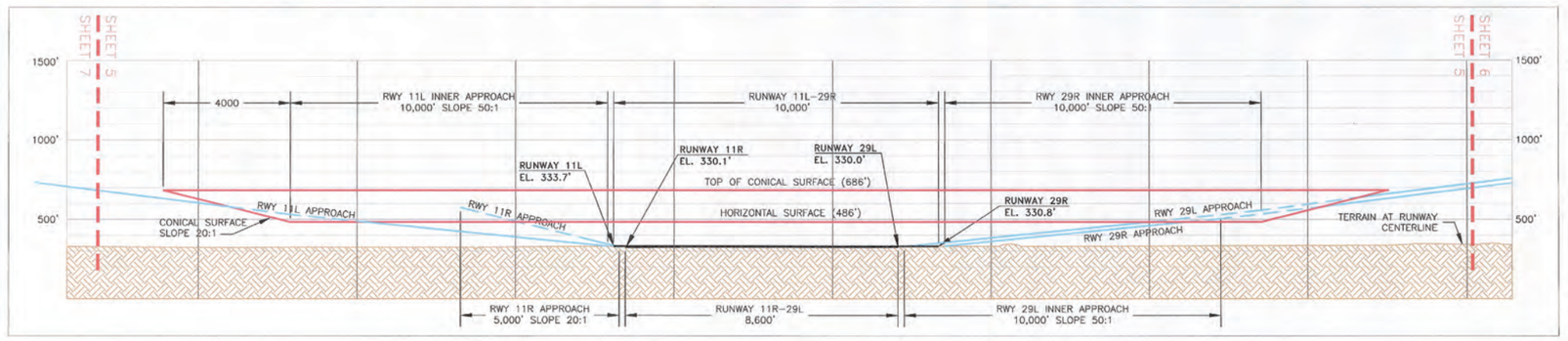
**Exhibit D2**
**FUTURE NOISE CONTOURS**
**FRESNO YOSEMITE INTERNATIONAL AIRPORT**





2000 0 2000 4000
HORIZONTAL SCALE IN FEET

400 0 400 800
VERTICAL SCALE IN FEET

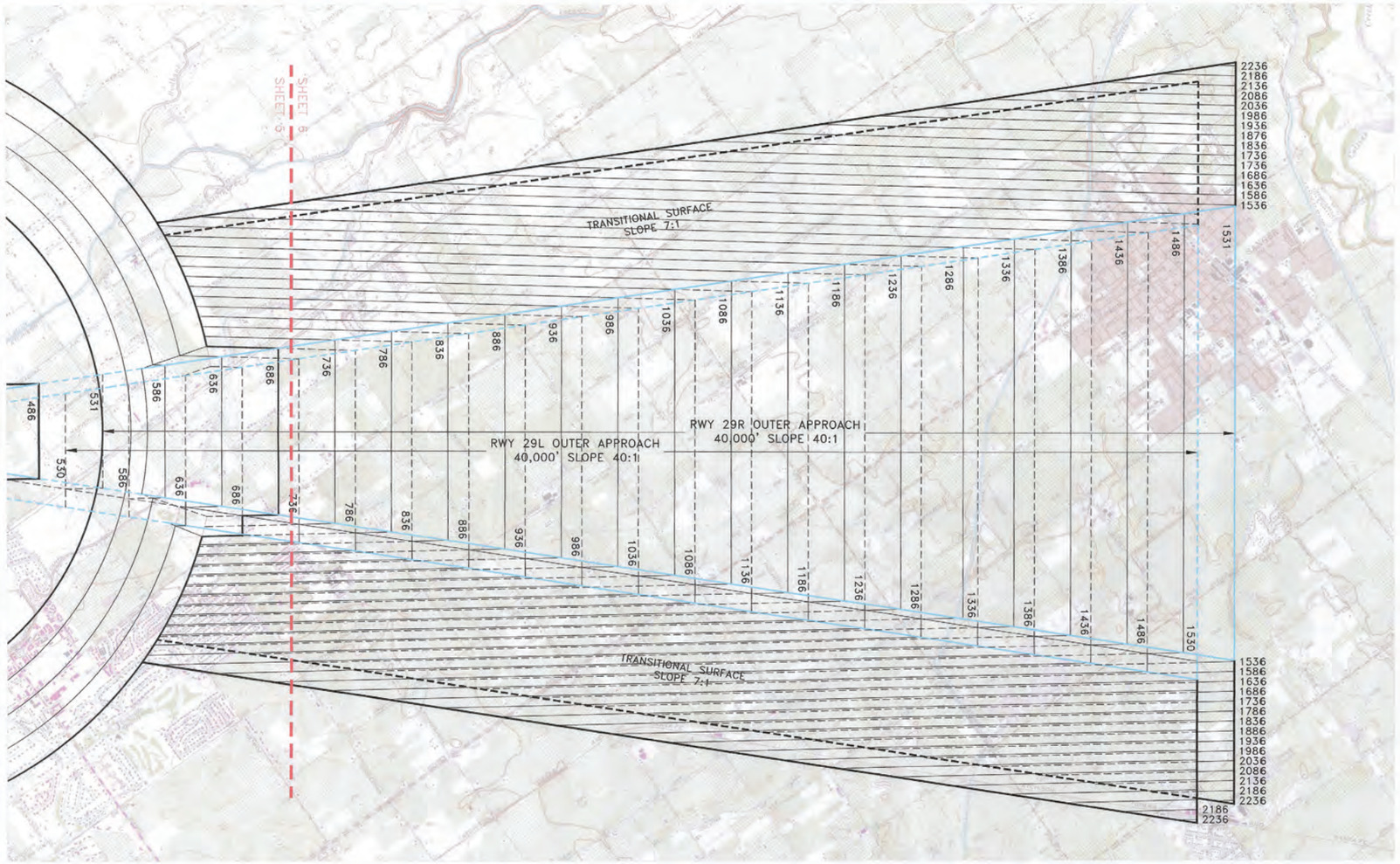


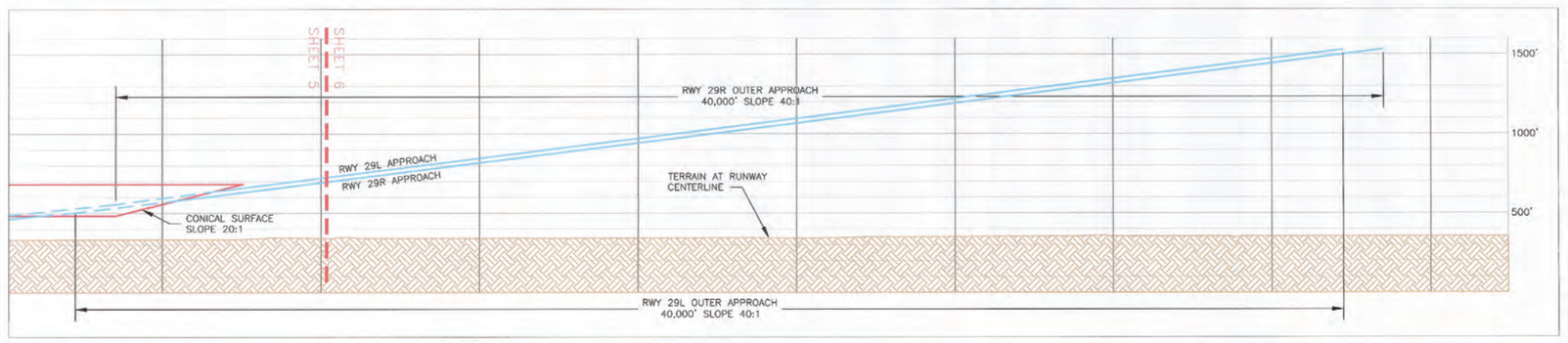

| REVISIONS | | | | |
|---|---|---|---|---|
| NO. | DESCRIPTION | BY | APP. | DATE |
| | | | | |

FAR PART 77 IMAGINARY SURFACES
INNER APPROACH

FRESNO YOSEMITE
INTERNATIONAL AIRPORT

| | | |
|---|---|---|
| DESIGNED BY: | | DATE: JANUARY 2013 |
| DRAWN BY: | LNS | SHEET 5 OF 15 |
| CHECKED BY: | DY | |
| PROJECT MANAGER: | | |





2000 0 2000 4000
HORIZONTAL SCALE IN FEET

400 0 400 800
VERTICAL SCALE IN FEET

NOTES:

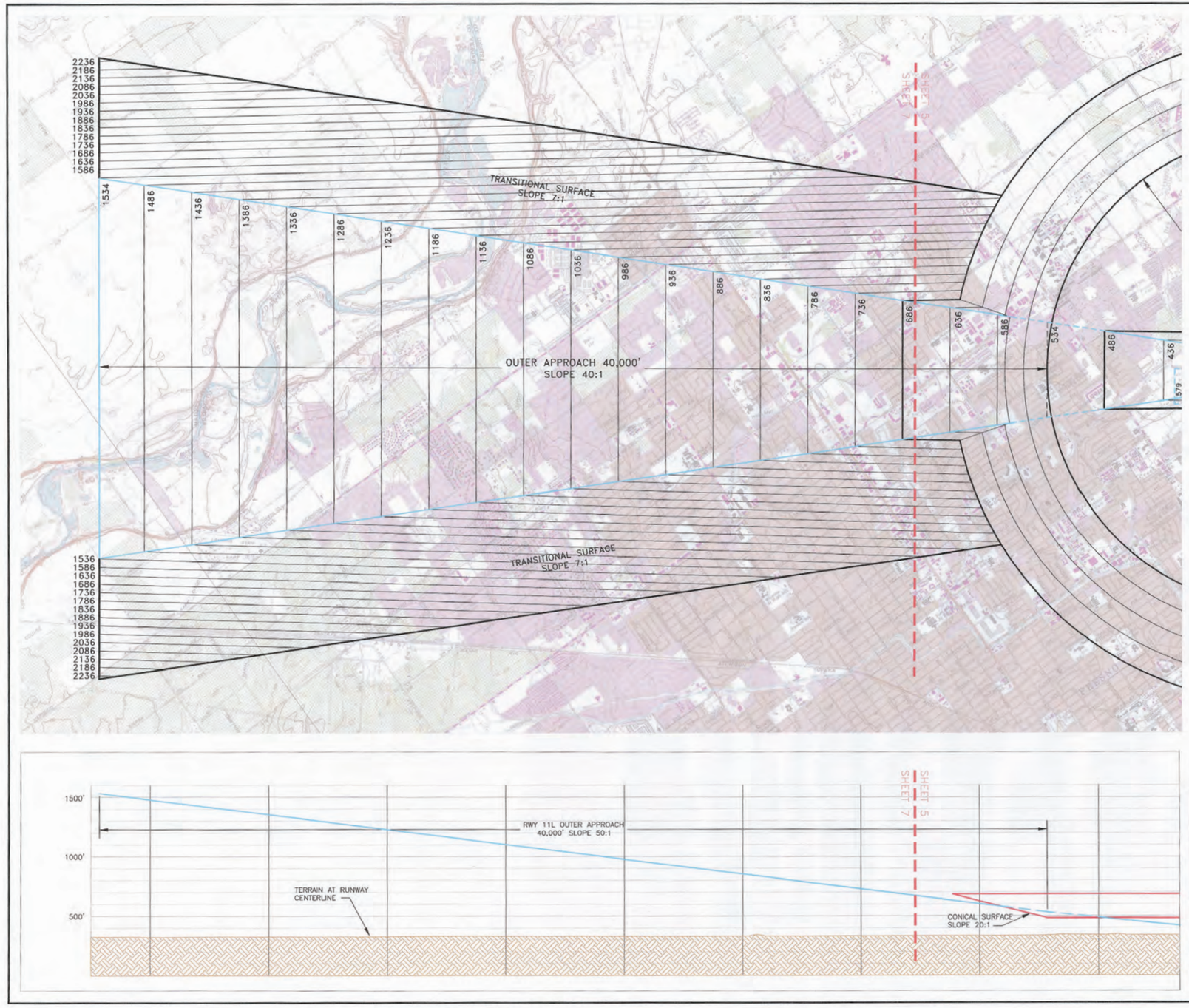
1. NO OBSTRUCTIONS LOCATED IN OUTER APPROACH AREA.

| REVISIONS | | | | |
|---|---|---|---|---|
| NO. | DESCRIPTION | BY | APP. | DATE |
| | | | | |

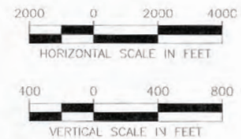
# FAR PART 77 IMAGINARY SURFACES OUTER APPROACH RWYS 29L & 29R

FRESNO YOSEMITE
INTERNATIONAL AIRPORT

| | | |
|---|---|---|
| DESIGNED BY: | | DATE: JANUARY 2013 |
| DRAWN BY: | LNS | SHEET 6 OF 15 |
| CHECKED BY: | DY | |
| PROJECT MANAGER: | | |











NOTES:

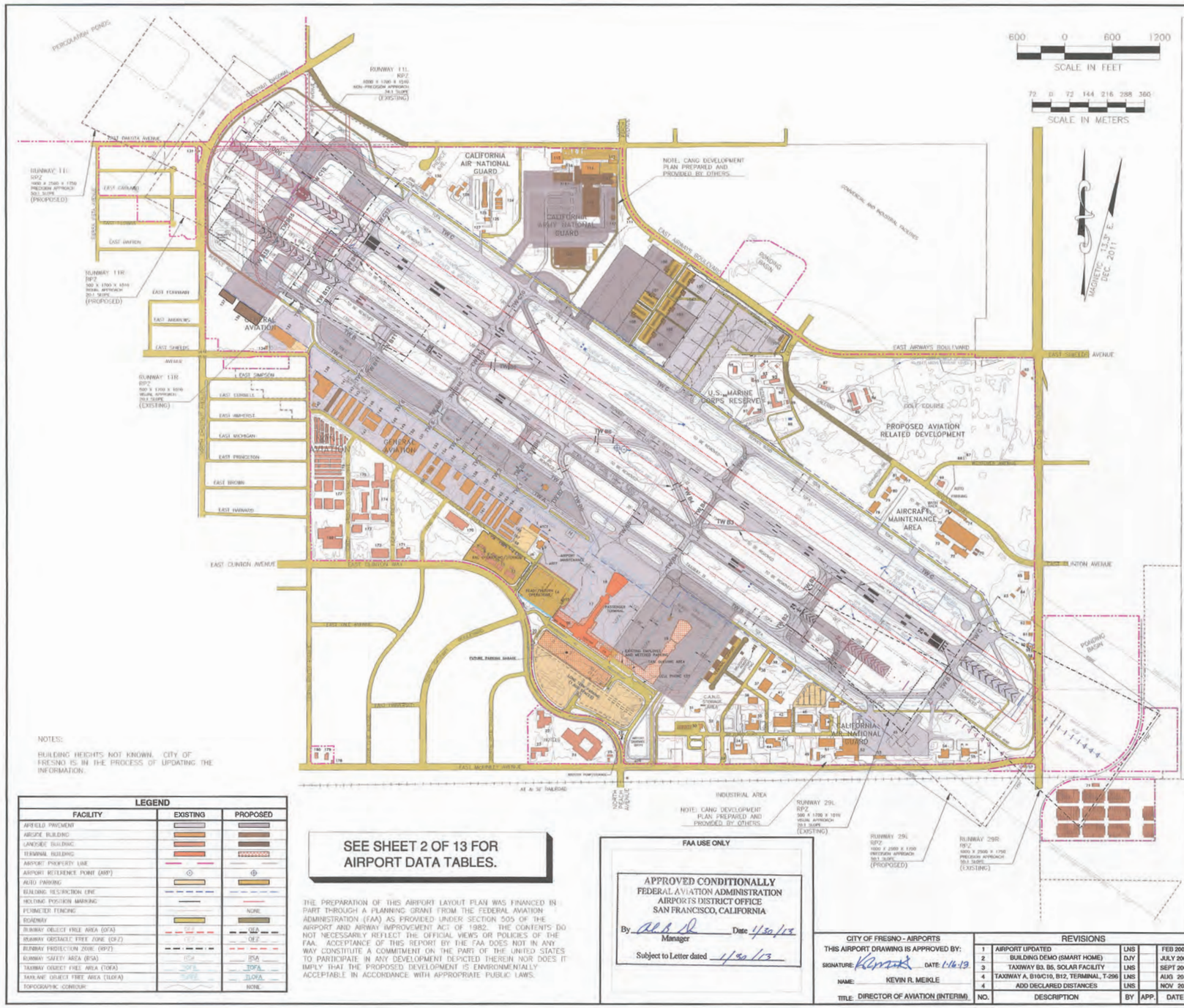
1. NO OBSTRUCTIONS LOCATED IN OUTER APPROACH AREA.

| REVISIONS | | | | |
|---|---|---|---|---|
| NO. | DESCRIPTION | BY | APP. | DATE |

FAR PART 77 IMAGINARY SURFACES
OUTER APPROACH RUNWAY 11L

FRESNO YOSEMITE
INTERNATIONAL AIRPORT

| | | |
|---|---|---|
| DESIGNED BY: | | DATE: JANUARY 2013 |
| DRAWN BY: | LNS | |
| CHECKED BY: | DY | SHEET 7 OF 15 |
| PROJECT MANAGER: | | |




| BUILDING INVENTORY | | | |
|---|---|---|---|
| 1 | AIRPORT TRAFFIC CONTROL TOWER (ATCT) [FSS, FAA ADMINISTRATION OFFICES, BEACON, AIRWAY FACILITIES] | 89 | U.S.M.C. SHED |
| 2 | LIGHTED WINDSOCK | 90 | U.S.M.C. GUARD HOUSE |
| 3 | LIGHTING VAULT & GENERATOR | 91 | U.S.M.C. CREW READINESS UNIT |
| 4 | AIRPORT MAINTENANCE/FUEL VAULT | 92 | U.S.M.C. GENERAL PURPOSE SHOP |
| 5 | AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) BUILDING/FUEL VAULT | 93 | U.S.M.C. SHED |
| 6 | AIRPORT ADMINISTRATIVE STORAGE | 94 | U.S.M.C. SHED |
| 7 | RENTAL CAR SERVICE FACILITY #6 (AVIS) | 95 | U.S.M.C. SHED |
| 8 | RENTAL CAR SERVICE FACILITY #5 (BUDGET) | 96 | U.S.M.C. OFFICE |
| 9 | RENTAL CAR SERVICE FACILITY #4 (ENTERPRISE) | 97 | U.S.M.C. OFFICE |
| 10 | RENTAL CAR SERVICE FACILITY #3 (VANGUARD) | 98 | U.S.M.C. MAINTENANCE FACILITY |
| 11 | RENTAL CAR SERVICE FACILITY #2 (DOLLAR) | 99 | U.S.M.C. APRON |
| 12 | RENTAL CAR SERVICE FACILITY #1 (HERTZ) | 100 | AIR CARGO OFFICE/WAREHOUSE (FEDEX) |
| 13 | RESERVED | 101 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 14 | AIR CARGO CENTER | 102 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 15 | AIRLINE TERMINAL STANDBY GENERATORS (2) | 103 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 16 | AIRLINE TERMINAL | 104 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 17 | CONCOURSE (SINGLE LEVEL) | 105 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 18 | CONCOURSE (TWO LEVELS) | 106 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 19 | FUTURE TERMINAL /CONCOURSE | 107 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 20 | PARKING LOT STORAGE | 108 | AIR CARGO OFFICE/WAREHOUSE (FUTURE) |
| 21 | PARKING LOT OFFICE (TEMPORARY & PROPOSED) | 109 | RESERVED |
| 22 | OFFICES | 110 | RESERVED |
| 23 | HOTEL | 111 | PUMP STATION 308 |
| 24 | HOTEL | 112 | A.R.N.G. P.O.L. |
| 25 | SERVICE STATION | 113 | A.R.N.G. G.S.E. |
| 26 | PUMP STATION (BASIN DISCHARGE, CLINTON/McKINLEY) | 114 | A.R.N.G. MAINTENANCE HANGAR/OFFICES |
| 27 | BOOSTER PUMP STATION | 115 | A.R.N.G. OFFICES |
| 28 | RESERVED | 116 | A.R.N.G. STORAGE |
| 29 | RESERVED | 117 | A.R.N.G. FUTURE EXPANSION |
| 30 | C.A.N.G. PETROLEUM OIL LUBRICANT OPERATIONS | 118 | A.R.N.G. HANGAR FIXED WING |
| 31 | C.A.N.G. SHEDS | 119 | A.R.N.G. MAINTENANCE HANGAR |
| 32 | C.A.N.G. SMALL ARMS RANGE | 120 | A.R.N.G. CORROSION CONTROL HANGAR |
| 33 | C.A.N.G. ENTRANCE GUARD HOUSE | 121 | RESERVED |
| 34 | C.A.N.G. WING HEADQUARTERS AND CARPORT | 122 | RESERVED |
| 35 | C.A.N.G. BASE CIVIL ENGINEER/TELECOMMUNICATIONS | 123 | RESERVED |
| 36 | C.A.N.G. BUILDING | 124 | C.A.N.G. STORAGE |
| 37 | C.A.N.G. BUILDING | 125 | C.A.N.G. MUNITIONS MAINTENANCE FACILITY |
| 38 | C.A.N.G. BUILDING | 126 | C.A.N.G. STORAGE SHELTER |
| 39 | C.A.N.G. STORAGE | 127 | C.A.N.G. ENTRY CONTROL FACILITY |
| 40 | C.A.N.G. STORAGE | 128 | C.A.N.G. STORAGE |
| 41 | C.A.N.G. BUILDING | 129 | RESERVED |
| 42 | C.A.N.G. AVIATION GROUND EQUIPMENT SHOP | 130 | OFFICE, STORAGE HANGAR (C.H.P. AIR OPERATIONS) |
| 43 | C.A.N.G. AMBULANCE SHELTER | 131 | PUMP (WELL 10-6, DAKOTA/CHESTNET) |
| 44 | C.A.N.G. SECURITY POLICE/MEDICAL | 132 | RESERVED |
| 45 | C.A.N.G. HANGAR | 133 | OFFICE, MAINTENANCE HANGAR (CORPORATE AIRCRAFT) |
| 46 | C.A.N.G. ENGINE/AVIONICS SHOP | 134 | UNDERGROUND STORAGE TANK |
| 47 | C.A.N.G. BUILDING | 135 | RESERVED |
| 48 | C.A.N.G. FIRE STATION | 136 | FIXED BASE OPERATOR EXPANSION |
| 49 | C.A.N.G. STORAGE | 137 | AIRPORT MAINTENANCE WAREHOUSE (FUTURE) |
| 50 | C.A.N.G. AUTOMOTIVE MAINTENANCE | 138 | RESERVED |
| 51 | C.A.N.G. BASE SUPPLY | 139 | SCOTT AIRCRAFT |
| 52 | C.A.N.G. HANGAR/AIRCRAFT SHOPS/ GUN MAINTENANCE | 140 | ABOVE GROUND FUEL VAULT |
| 53 | C.A.N.G. WEAPONS CALIBRATION SHELTER | 141 | T-HANGAR, OFFICES (FUTURE) |
| 54 | C.A.N.G. FUEL CELL/CORROSION CONTROL HANGAR | 142 | T-HANGAR, OFFICES |
| 55 | C.A.N.G. GROUND RUN-UP ENCLOSURE | 143 | T-HANGAR, OFFICES |
| 56 | BAK-14 GENERATOR | 144 | T-HANGAR, OFFICES |
| 57 | PUMP STATION (AIRFIELD DISCHARGE, CLOVIS/McKINLEY) | 145 | OFFICES, F.S.D.O. |
| 58 | APPROACH LIGHTING SYSTEM SUBSTATION | 146 | OFFICES |
| 59 | GLIDE SLOPE BUILDING | 147 | OFFICES |
| 60 | ALSF-II BUILDING | 148 | OFFICE, MAINTENANCE HANGAR |
| 61 | FORESTRY AIR ATTACK BASE HANGAR | 149 | T-HANGAR |
| 62 | FORESTRY AIR ATTACK BASE HANGAR | 150 | T-HANGAR |
| 63 | FRESNO AIR ATTACK BASE RETARDANT MIX TANKS | 151 | OFFICE, MAINTENANCE HANGAR (WESTERN PIPER SALES) |
| 64 | FORESTRY AIR ATTACK BASE OFFICE | 152 | ABOVE GROUND FUEL VAULT |
| 65 | FORESTRY AIR ATTACK BASE OFFICE | 153 | HANGAR |
| 66 | RESERVED | 154 | HANGAR |
| 67 | WATER TREATMENT PLANT (WESTOVER/WALKER) | 155 | HANGAR |
| 68 | PUMP HOUSE (WELL 8A, WESTOVER/WALKER) | 156 | OFFICE, MAINTENANCE HANGAR |
| 69 | FIRE STATION #10 | 157 | T-SHELTER (OPEN CABANA) |
| 70 | FUTURE ABOVE GROUND FUEL VAULT | 158 | T-HANGAR, OFFICE |
| 71 | SOLAR FACILITY | 159 | T-HANGAR |
| 72 | OFFICES/WAREHOUSE (287) | 160 | OFFICES, MAINTENANCE HANGAR |
| 73 | WAREHOUSE/HANGAR (P-4, T-285) | 161 | T-HANGAR |
| 74 | HANGAR P-3 FIRE SYSTEM | 162 | T-HANGAR |
| 75 | HANGAR, OFFICES (P-3) | 163 | T-HANGAR |
| 76 | OFFICE (261) | 164 | T-HANGAR |
| 77 | OFFICES | 165 | OFFICE, MAINTENANCE HANGAR |
| 78 | HANGAR/OFFICE | 166 | T-HANGAR |
| 79 | HANGAR/OFFICE | 167 | T-HANGAR |
| 80 | MAINTENANCE SHOP | 168 | T-HANGAR |
| 81 | OFFICES (210) | 169 | COMCAST |
| 82 | SERVICE STATION/CONVENIENCE STORE/CAR WASH | 170 | GHL FACILITY |
| 83 | RESERVED | 171 | AIRPORT ADMINISTRATIVE OFFICE |
| 84 | CLUBHOUSE/CART HOUSE | 172 | GARDEN OFFICE COMPLEX |
| 85 | BATH HOUSE | 173 | OFFICE |
| 86 | POOL | 174 | OFFICE/WAREHOUSE |
| 87 | AIRWAYS MAINTENANCE SHOP | 175 | OFFICE/WAREHOUSE |
| 88 | AIRPORT SURVEILLANCE RADAR | 176 | STORAGE UNITS |
| | | 177 | OFFICES/WAREHOUSE |
| | | 178 | PUMP (WELL 63, WINERY/McKINLEY) |
| | | 179 | RESTAURANT |
| | | 180 | RESTAURANT |

NOTES:

BUILDING HEIGHTS NOT KNOWN. CITY OF FRESNO IS IN THE PROCESS OF UPDATING THE INFORMATION.

| LEGEND | | |
|---|---|---|
| FACILITY | EXISTING | PROPOSED |
| AIRFIELD PAVEMENT | | |
| AIRSIDE BUILDING | | |
| LANDSIDE BUILDING | | |
| TERMINAL BUILDING | | |
| AIRPORT PROPERTY LINE | | |
| AIRPORT REFERENCE POINT (ARP) | ⊙ | ⊕ |
| AUTO PARKING | | |
| BUILDING RESTRICTION LINE | | |
| HOLDING POSITION MARKING | | |
| PERIMETER FENCING | | NONE |
| ROADWAY | | |
| RUNWAY OBJECT FREE AREA (OFA) | | OFA |
| RUNWAY OBSTACLE FREE ZONE (OFZ) | | OFZ |
| RUNWAY PROTECTION ZONE (RPZ) | | |
| RUNWAY SAFETY AREA (RSA) | RSA | RSA |
| TAXIWAY OBJECT FREE AREA (TOFA) | TOFA | TOFA |
| TAXILANE OBJECT FREE AREA (TLOFA) | TLOFA | TLOFA |
| TOPOGRAPHIC CONTOUR | | NONE |

SEE SHEET 2 OF 13 FOR AIRPORT DATA TABLES.

THE PREPARATION OF THIS AIRPORT LAYOUT PLAN WAS FINANCED IN PART THROUGH A PLANNING GRANT FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) AS PROVIDED UNDER SECTION 505 OF THE AIRPORT AND AIRWAY IMPROVEMENT ACT OF 1982. THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OR POLICIES 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 DEVELOPMENT DEPICTED THEREIN NOR DOES IT IMPLY THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.

FAA USE ONLY

APPROVED CONDITIONALLY
FEDERAL AVIATION ADMINISTRATION
AIRPORTS DISTRICT OFFICE
SAN FRANCISCO, CALIFORNIA

By _____ Manager Date 1/30/13

Subject to Letter dated 1/30/13

CITY OF FRESNO - AIRPORTS

THIS AIRPORT DRAWING IS APPROVED BY:

SIGNATURE: _____ DATE: 1-16-13

NAME: KEVIN R. MEIKLE

TITLE: DIRECTOR OF AVIATION (INTERIM)

| REVISIONS | | | | |
|---|---|---|---|---|
| NO. | DESCRIPTION | BY | APP. | DATE |
| 1 | AIRPORT UPDATED | LNS | | FEB 2008 |
| 2 | BUILDING DEMO (SMART HOME) | DJY | | JULY 2008 |
| 3 | TAXIWAY B3, B5, SOLAR FACILITY | LNS | | SEPT 2008 |
| 4 | TAXIWAY A, B10/C10, B12, TERMINAL, T-296 | LNS | | AUG 2010 |
| 4 | ADD DECLARED DISTANCES | LNS | | NOV 2011 |

# AIRPORT LAYOUT PLAN

FRESNO YOSEMITE INTERNATIONAL AIRPORT

| | | |
|---|---|---|
| DESIGNED BY: | | DATE: JANUARY 2013 |
| DRAWN BY: | LNS | SHEET 3 OF 13 |
| CHECKED BY: | DY | |
| PROJECT MANAGER: | | |

markings in good condition. This runway has medium intensity runway lights (MIRL) but no approach lighting system. There are unlighted touchdown points and REILs on Runway 11R only. Runway 29L is equipped with a four-light PAPI on the left at a three-degree glide path. The only instrument approach to Runway 11R-29L is a global positioning system (GPS).

**TABLE D1**
**Airport Facilities**
**Fresno Yosemite International Airport**

| | Runway 11L-29R | Runway 11R-29L |
|---|---|---|
| **RUNWAY(S)** | | |
| Length (feet) | 9,539 | 8,008 |
| Width (feet) | 150 | 150 |
| Threshold Displacement (feet) | 0 | 0 |
| Runway Pavement Surface Material | Asphalt | Asphalt |
| Runway Pavement Surface Treatment | Grooved | Grooved |
| Runway Pavement Condition | Good | Good |
| Traffic Pattern | Left \| Right | Right \| Left |
| ***Runway Pavement Load Bearing Strength (lbs.)*** | | |
| Pavement Classification Number (PCN) | 75 | 44 |
| Single Wheel | 70,000 | 70,000 |
| Double Wheel | 170,000 | 170,000 |
| Dual Tandem | N/A | 175,000 |
| Double Tandem | 250,000 | 250,000 |
| Double Dual Tandem | N/A | N/A |
| ***Runway Pavement Markings*** | | |
| Type | Precision | Precision |
| Condition | Good | Good |
| ***Runway Lighting*** | | |
| Runway Edge Lighting | HIRL | MIRL |
| Approach Lighting System (ALS) | None \| ALSF2 | None |
| Touchdown Point | Yes (no lights) \| Yes (lighted) | Yes (no lights) |
| Runway End Identifier Lights (REILs) | Yes | Yes \| No |
| **VISUAL APPROACH AIDS** | | |
| Type | 4-Light PAPI on left | None \| 4-Light PAPI on left |
| Glide Path | 3.00 degrees | N/A \| 3.00 degrees |
| **INSTRUMENT APPROACH AIDS** | | |
| Instrument Landing System (ILS) | LOC/DME \| ILS/DME | No |
| Global Positioning System (GPS) | Yes | Yes |
| VOR/DME or TACAN | Yes | No |
| High-VOR/DME or TACAN | Yes | No |

N/A: Not Applicable
HIRL: High Intensity Runway Lights
MIRL: Medium Intensity Runway Lights
ALSF2: Approach Lighting System with Sequenced Flashing Lights configuration 2
PAPI: Precision Approach Path Indicator
LOC: Localizer
DME: Distance Measuring Equipment
TACAN: Tactical Air Navigation
VOR: Very High Frequency Omnidirectional Range
**Source:** AirNav (July 2017)

### FUTURE AIRPORT PLANS

At the time of this study, the Airport is undergoing a master plan update; however, the Airport's presently approved ALP shows extensions to both runways. Runway 11L-29R is proposed to be extended to 10,000 feet total and Runway 11R-29L is proposed for an ultimate length of 8,600 feet. Precision approaches are proposed for Runway 29L and Runway 11L.

## *AIRPORT ENVIRONS*

### EXISTING LAND USES

**Exhibit D5** shows the existing land uses around the Airport.

Airport property encompasses approximately 2,159 acres of land within the City of Fresno and is generally bounded by Clovis Avenue to the east, Chestnut Avenue to the west, Dakota Avenue to the north, and McKinley Avenue to the south. The Airport is primarily surrounded by urban development including industrial, residential, and mixed commercial uses. A majority of the AIA is composed of single and multi-family residential land uses. Other land uses in the AIA include open space, and agriculture. Right-of-ways/transportation in the AIA make up the street network surrounding the Airport. Major streets connecting the Airport to other areas of Fresno include East Olive Avenue, East McKinley Avenue, East Dakota Avenue, and Clovis Avenue. California State Route 168 and California State Route 180 are the closest highways to the airport.

### ZONING

**Exhibit D6** shows zoning classifications in the AIA.

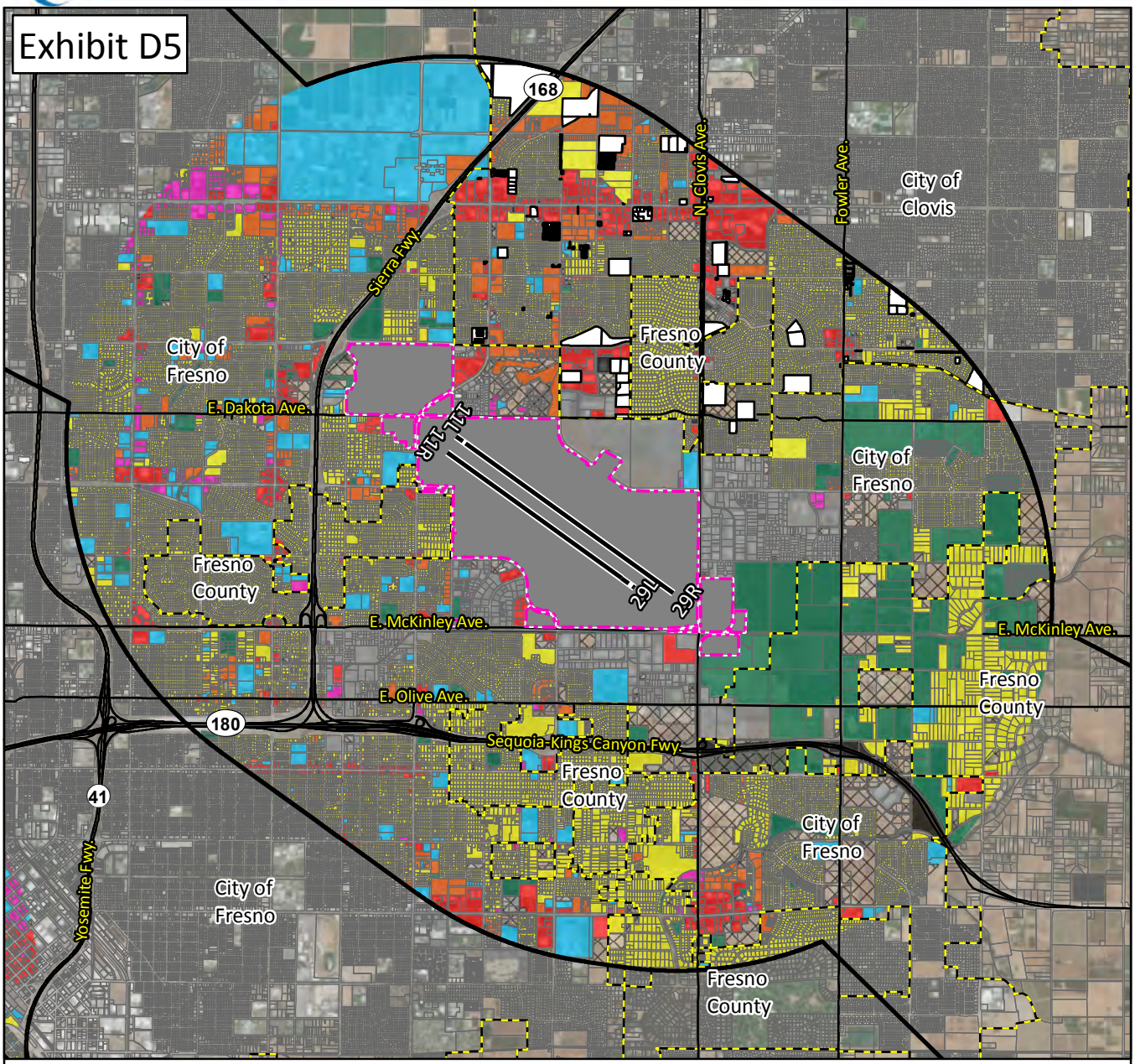
The Airport is surrounded primarily by industrial zones, both on and adjacent to Airport property. In addition to industrial zones, there are single and multi-family residential, open space, and commercial zones around the Airport. Residential zoning dominates much of the AIA. Additional zones in the AIA include commercial, mobile home parks, mixed use, parks and recreation, and agriculture.

### GENERAL PLAN

The general plan land uses around the Airport are illustrated on **Exhibit D7**.

Similar to zoning in the AIA, planned land uses in the vicinity of the Airport include industrial, single family residential, and open space. Additionally, there are several parcels planned for mixed use near the Airport. Although the AIA is still heavily planned for residential, much of the AIA is proposed as mixed use in the future. Mixed use development typically includes a combination of commercial and residential uses.

# Exhibit D5




## LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

Existing Land Use[3]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Public
- Open Space
- Agricultural
- Transportation/Right-of-Way
- Vacant
- No Data

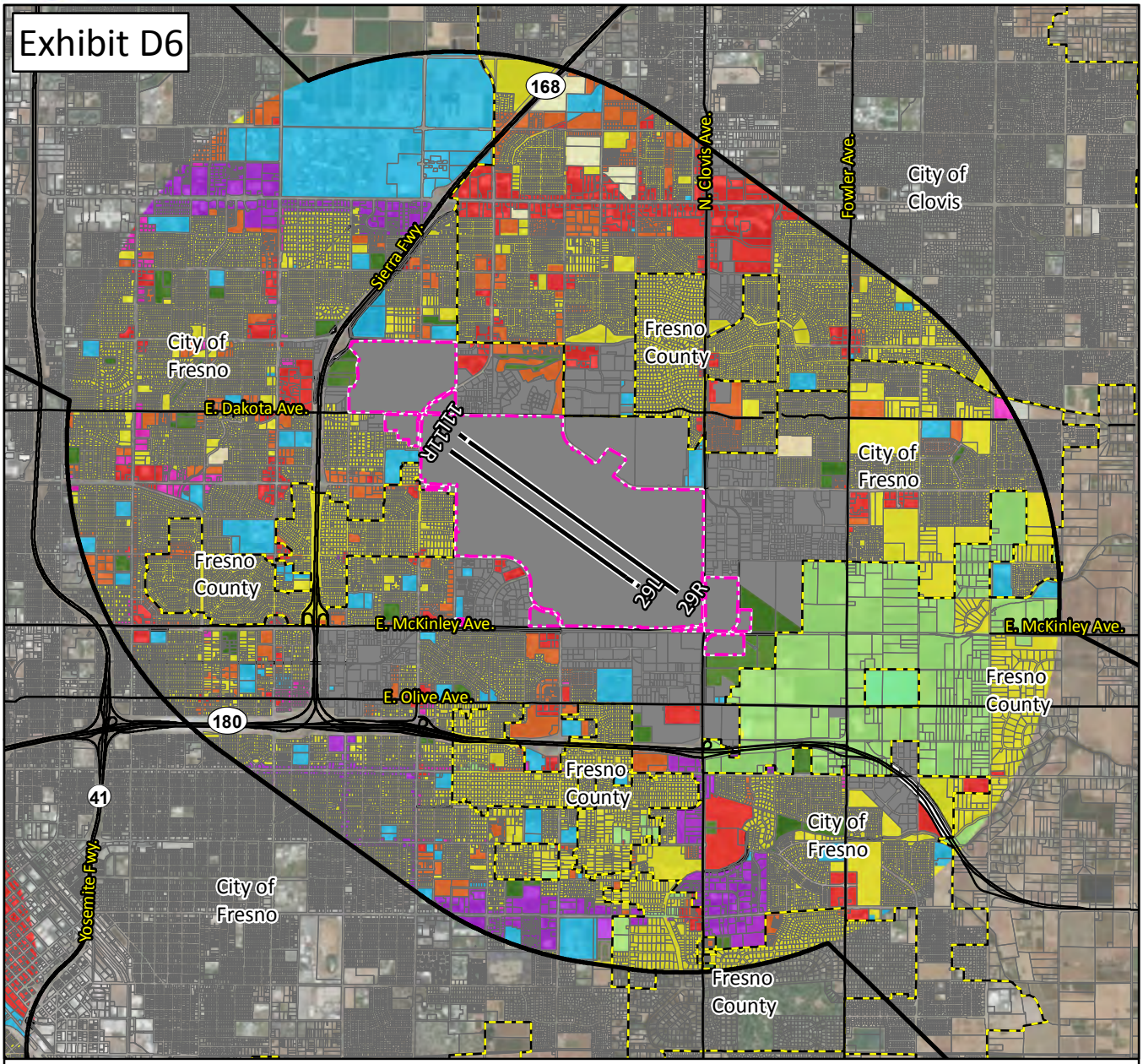
N

0 6,000 12,000

1" = 6,000'

[1]Fresno Yosemite Intl. Airport Layout Plan (2013).
[2]AIA drawn from Part 77 Conical and Outer Transitional surfaces. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]City of Fresno Existing Land Use, Fresno Council of Governments.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit D6




## LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

Zoning[3]

- Mobile Home Park
- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Commercial
- Industrial
- Public
- Open Space
- Agriculture
- Transportation/Right-of-Way
- No Data

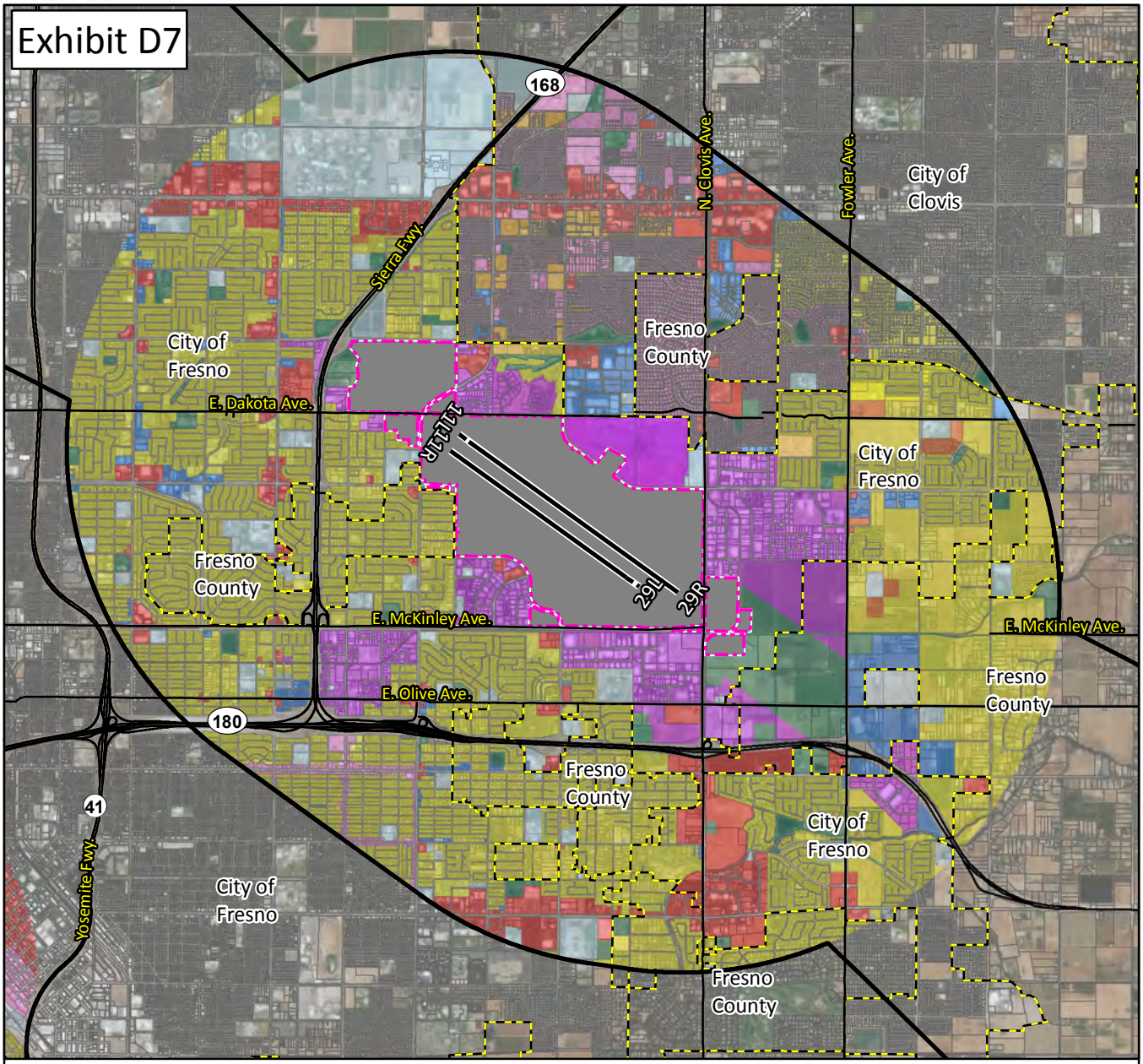
N

0 6,000 12,000

1" = 6,000'

[1]Fresno Yosemite Intl. Airport Layout Plan (2013).
[2]AIA drawn from Part 77 Conical and Outer Transitional surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]Fresno County Zoning, City of Clovis Zoning, City of Fresno Zoning.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit D7




## LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

General Plan[3]

- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Commercial
- Office
- Industrial
- Public
- Open Space

N

0 6,000 12,000

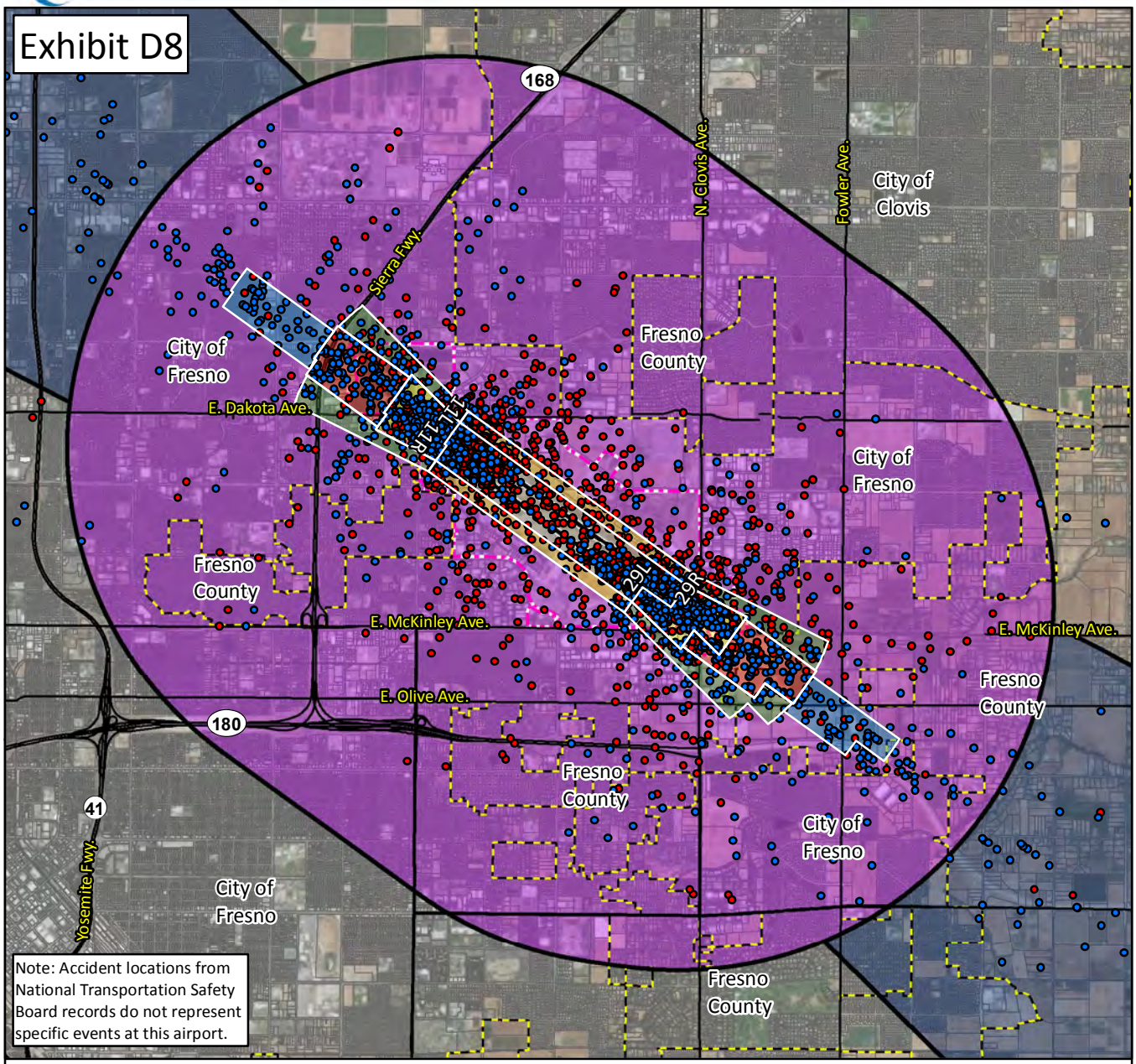
1" = 6,000'

[1]Fresno Yosemite Intl. Airport Layout Plan (2013).
[2]AIA drawn from Part 77 Conical and Outer Transitional surfaces. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]Fresno County General Plan.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

## *COMPATIBILITY FACTORS*

**Exhibit D8** is a compatibility factors map, which compiles National Transportation Safety Board flight accident data for all airports in the United States, noise exposure contours, and arrival and departure flight tracks from the noise exposure contours. The purpose of this exhibit is to illustrate the methodology behind the shape and size of the safety, noise, and airspace compatibility zones.

# Exhibit D8




## LEGEND

- Existing Runway[1]
- Ultimate Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Arrival Accidents[2]
- Departure Accidents[2]
- Airport Influence Area (AIA)[3]

Safety Zones[4]

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
7. Precision Approach Zone

N

0 6,000 12,000

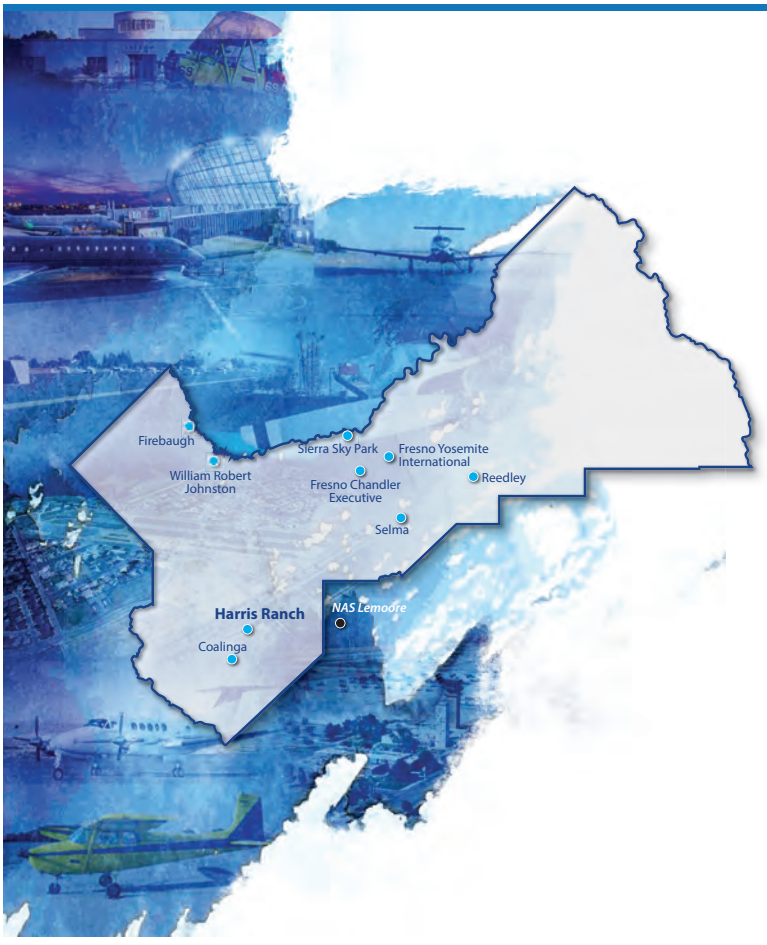
1" = 6,000'

[1]Fresno Yosemite Intl. Airport Layout Plan (2013)
[2]California Airport Land Use Planning Handbook, 2011. Normalized from airports in United States.
[3]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
[4]AIA drawn from Part 77 Conical and Outer Transitional surfaces. See 14 CFR, Subchapter E, Part 77, §77.25.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

Fresno Council of Governments

# Appendix E

# HARRIS RANCH AIRPORT



# Appendix E: Harris Ranch Airport

Appendix E provides an overview of Harris Ranch Airport's (Airport) setting, airport influence area (AIA), safety zones, noise, and airspace and overflight areas. This Appendix will also discuss the existing and planned land uses, as well as current and future Airport facilities.

Harris Ranch Airport is a privately owned and operated, public use airport near the Harris Ranch Inn and Restaurant. It is not listed in the 2017 – 2021 *National Plan of Integrated Airport Systems* (NPIAS); however, the *California Aviation System Plan* (CASP) classifies it as a limited use facility. The Airport is in the southeastern quadrant of the intersection of Interstate 5 and State Route 198 (Dorris Avenue) interchange. The closest municipality is the City of Coalinga, located ten miles southwest on State Route 198. Harris Ranch Airport is primarily used for recreation, including guests of the Harris Ranch Inn and Restaurant. Use of the Airport fluctuates seasonally, with less activity in the winter months.

## *SAFETY ZONES*

The Airport Influence Area (AIA) and Safety Zones for Harris Ranch Airport are shown on **Exhibit E1**. Figure 3A of the California Airport Land Use Planning Handbook (Handbook) provides three example zones for general aviation airports, which are differentiated by runway length. The Handbook zone examples are provided as a starting point for developing safety zones specific to an airport. As discussed below, Harris Ranch Airport has one runway, Runway 14-32, which is 2,820 feet long. The California Department of Transportation, Division of Aeronautics-approved airport diagram does not include any changes to the runway length. Therefore, the Safety Zones are based on the Short General Aviation Runway example. As discussed below, the traffic pattern is located west of the Airport; therefore, based on Handbook guidance, the Inner Turning Zone is only shown to the west. For this plan, the outermost

zone in the Handbook examples was replaced by the 14 CFR Part 77 Conical Surface, which also represents the airspace and overflight review area boundaries. Additional information regarding the safety compatibility zones can be found in **Appendix M**.

## *NOISE*

The standard methodology for analyzing noise conditions at airports involves the use of a computer simulation model. The Airport Environmental Design Tool, Version 2c, (AEDT) is accepted by the State of California and required by the FAA for developing noise exposure contours. This is the model used to develop the noise exposure contours for this Airport Land Use Compatibility Plan (ALUCP). The following sections describe the noise modeling inputs for the Harris Ranch Airport noise exposure contours shown on **Exhibit E2**. Additional information regarding the noise modeling process and land use compatibility thresholds can be found in **Appendix M**.

### AIRCRAFT OPERATIONS AND FLEET MIX

As outlined in Public Utilities Code (PUC), Section 21675(a), the noise contours included in an ALUCP must reflect the anticipated growth of the airport during at least the next 20 years. **Table E1** summarizes the 2037 operations for the Airport using the Model for Estimating General Aviation Operations at Non-Towered Airports (GRA, Inc. 2001), and also includes the aircraft types used in the noise model. Airfield observations and based aircraft lists were used to determine the types of aircraft which frequently use the Airport. To accurately represent the noise conditions at the Airport, the AEDT provides aircraft noise data for many of the aircraft operating in the national fleet.

The selection of individual aircraft types is important to the modeling process because different aircraft types generate different noise levels. The aircraft fleet mix for Harris Ranch Airport was derived from an interview with the Airport manager and based aircraft list. **Table E1** summarizes the generalized fleet mix data input into the noise analysis.

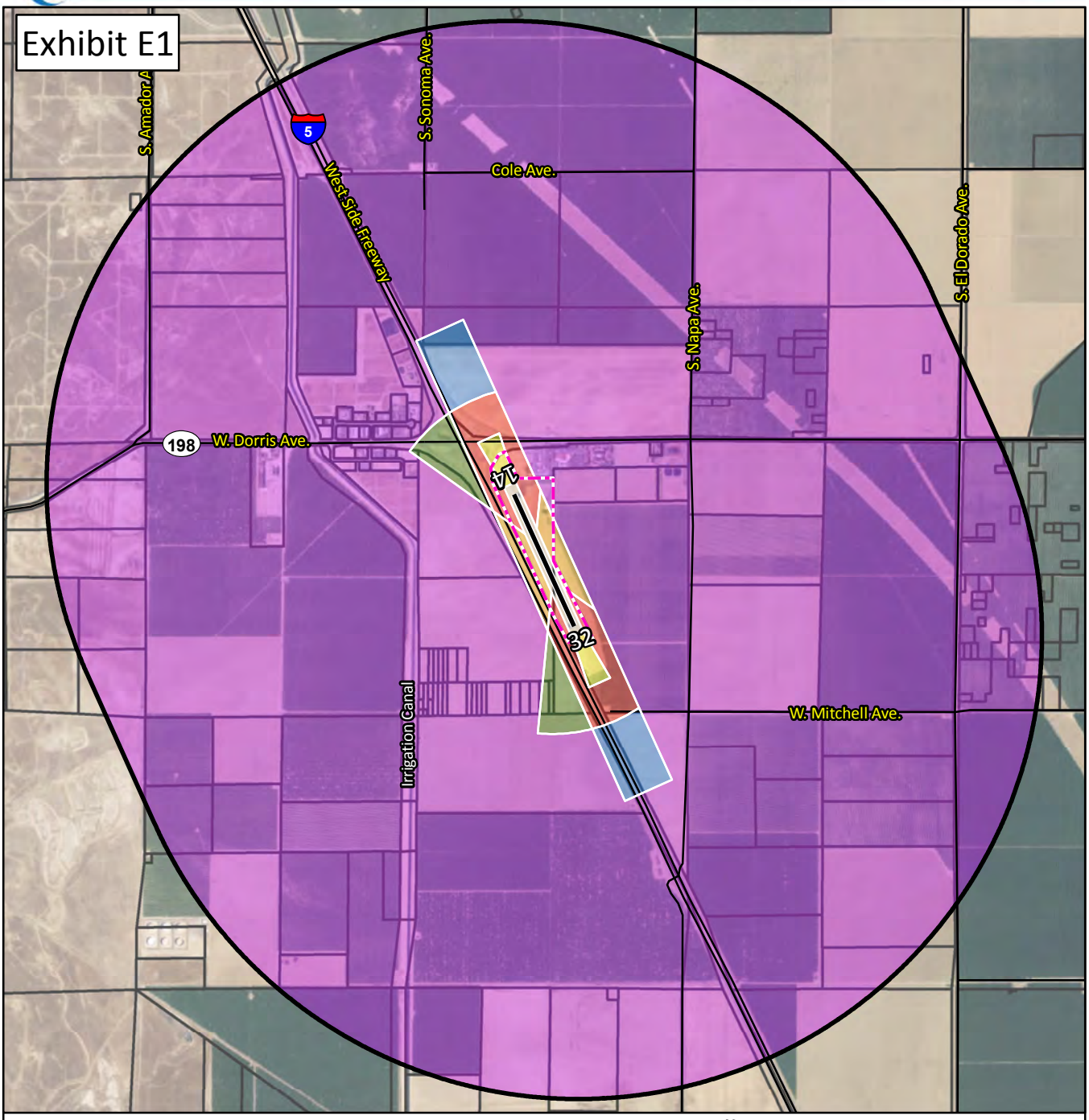
A variety of general aviation, single engine fixed-propeller aircraft are modeled with the GASEPV and GASEPF aircraft in the AEDT. The GASEPV represents many single engine general aviation aircraft, including the Mooney M-20, Cessna 172 and 180, Piper Cherokee Arrow, and the Air Tractor AT-502 and AT-802. The general aviation, single engine fixed-pitch propeller model, the GASEPF, also represents several single engine general aviation aircraft. These include the Cessna 150, Piper Archer, and the Piper Tomahawk.

**TABLE E1**
**Harris Ranch**
**Aircraft Fleet Mix and Operations**

| Operations | AEDT Designator | 2017[1] | 2037[1] |
|---|---|---|---|
| **Itinerant** | | | |
| Single Engine, Fixed | GASEPF | 1,050 | 1,050 |
| Single Engine, Variable | GASEPV | 1,050 | 1,050 |
| Total | | 2,100 | 2,100 |

Source: [1] Model for Estimating General Aviation Operations at Non-Towered Airports (GRA, Inc. 2001)

# Exhibit E1




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets
- Airport Influence Area (AIA)[3]

Safety Zones[4]

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

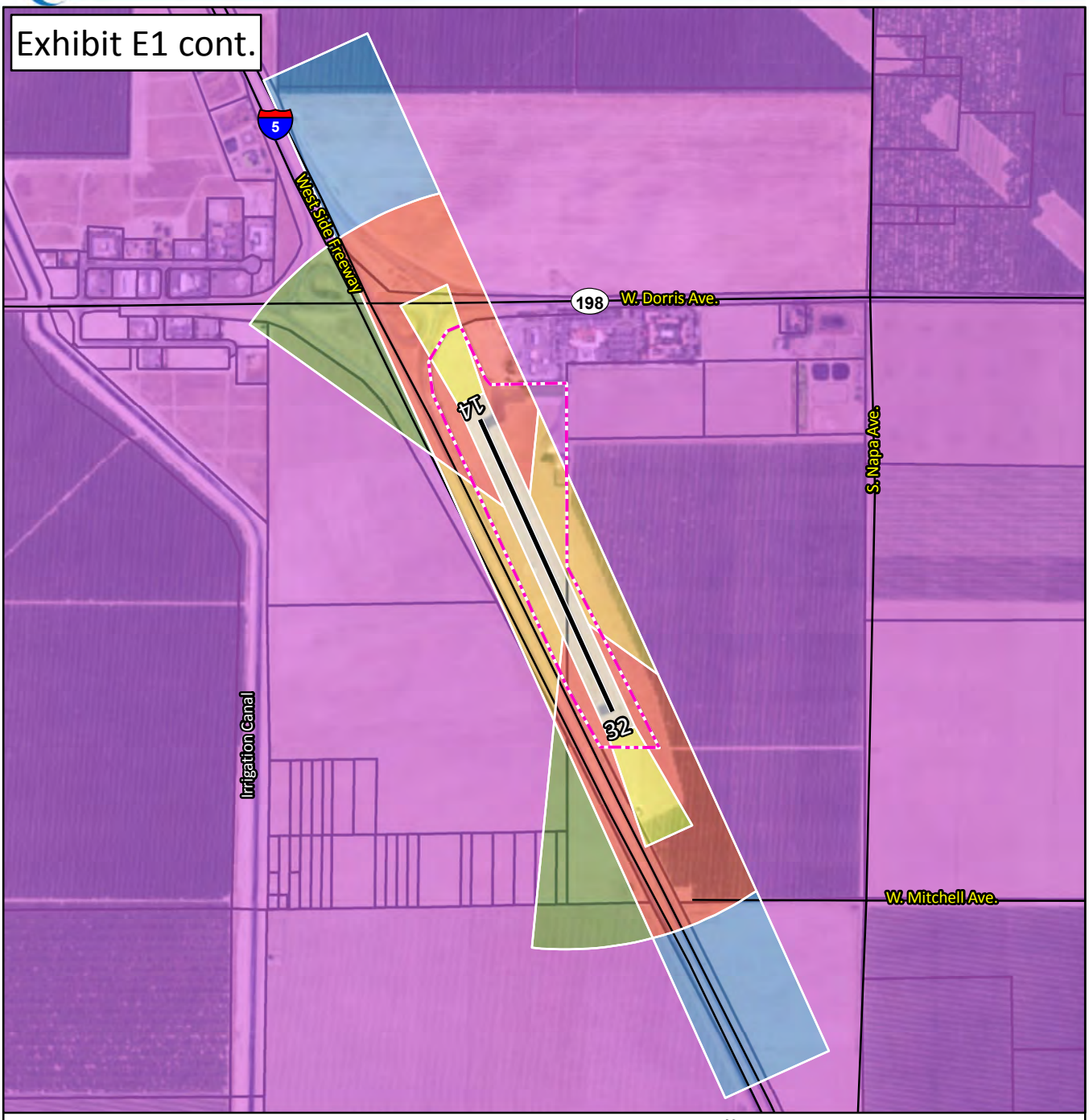
N

0 3,000 6,000

1" = 3,000'

[1]Runway centerline placed from ESRI Imagery (2016)
[2]APN: 06506072S, APN: 06506081S.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).

# Exhibit E1 cont.




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets

Safety Zones[3]

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

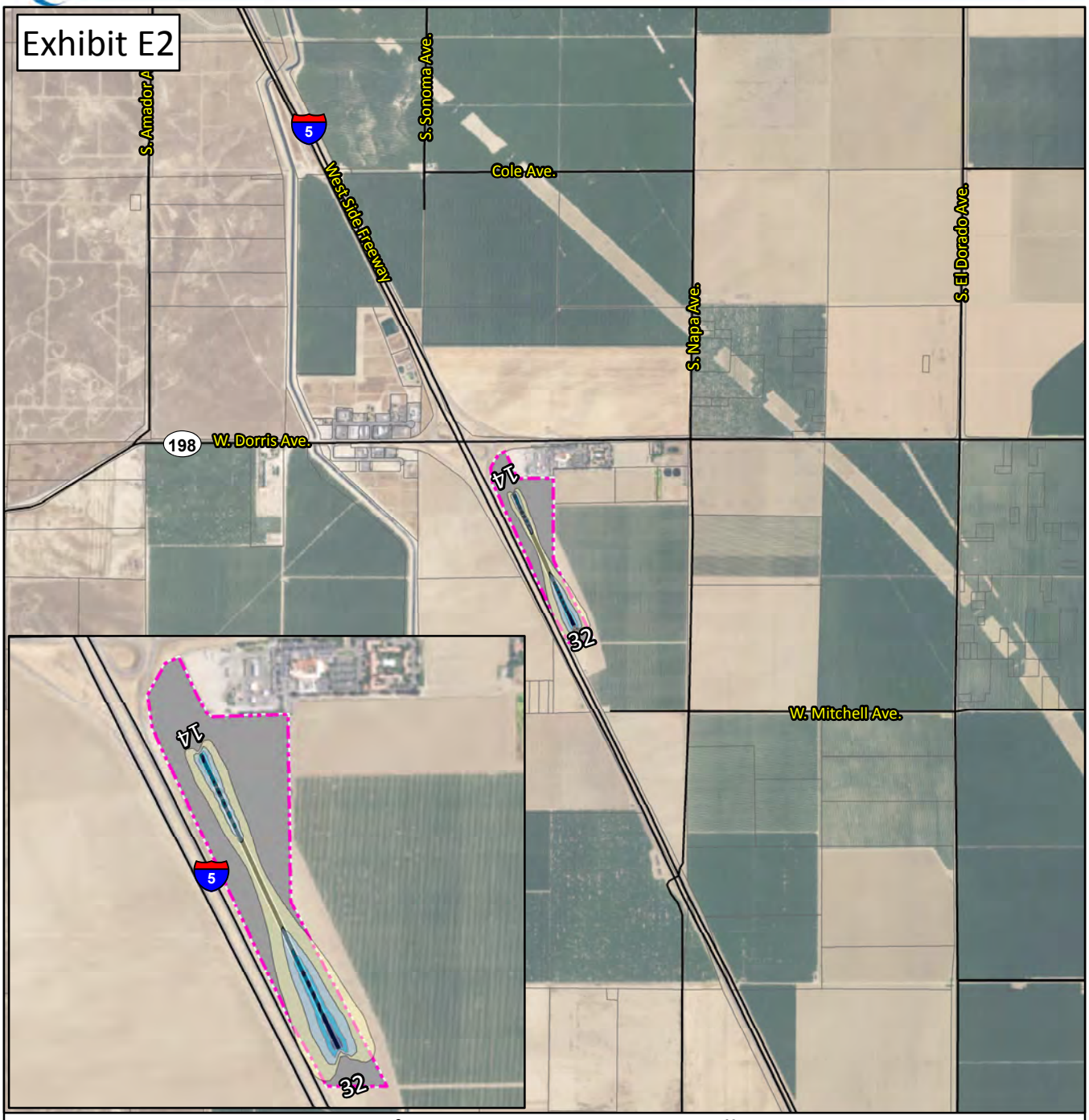
N

0 1,300 2,600

1" = 1,300'

[1]Runway centerline placed from ESRI Imagery (2016)
[2]APN: 06506072S, APN: 06506081S.
[3]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).

# Exhibit E2




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets

Future Noise Contours[3]

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

N

0 3,000 6,000

1" = 3,000'

[1]Runway centerline placed from ESRI Imagery (2016).
[2]APN: 06506072S, APN: 06506081S.
[3]Community Noise Equivalent Level - Coffman Associates Analysis.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).

Exhibit E2 cont.


LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets

Future Noise Contours[3]

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

N

0 500 1,000

1" = 500'

[1]Runway centerline placed from ESRI Imagery (2016).
[2]APN: 06506072S, APN: 06506081S.
[3]Community Noise Equivalent Level - Coffman Associates Analysis.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).

**Time-of-Day**

The time-of-day which aircraft operations occur is important as input to the AEDT, due to the 10-decibel nighttime (10:00 p.m. to 7:00 a.m.) and 4.8-decibel evening (7:00 p.m. to 10:00 p.m.) weighting of flights.

Since the Airport is not equipped with an airport traffic control tower (ATCT), time-of-day information was estimated based upon Airport staff interviews and time-of-day activity levels at similar airports. Currently, most operations occur during the daytime hours, with an estimated one percent occurring during evening hours, and approximately one percent occurring during nighttime hours.

**Runway Use**

Runway usage data is also an essential component for developing noise exposure contours. Based on a review of regional airport activity and wind conditions, the following assumptions were made for runway use:

- Runway 14 – 20 percent
- Runway 32 – 80 percent

**Flight Tracks**

A review of local flight procedures was used to develop consolidated flight tracks for use in the AEDT. As discussed below, the traffic pattern for Runway 14 is right-hand and the traffic pattern for Runway 32 is left-hand. Accordingly, it is assumed that touch-and-go traffic occurs to the west of the Airport for Runway 14-32.

**Flight Profiles**

The standard arrival profile used in the AEDT program is a three-degree approach. No indication was given by Airport staff that there was any variation on this standard procedure for civilian aircraft. Therefore, the standard approach was included in the model as representative of local operating conditions.

## *AIRSPACE AND OVERFLIGHT*

**Exhibit E3** depicts the Airspace Plan prepared as part of this study. This exhibit includes the 14 CFR Part 77 Conical Surface, which is also the Airport Influence Area for Harris Ranch Airport.

## *AIRPORT INFORMATION*

### AIRPORT FACILITIES

**Table E2** details the Airport's facilities and **Exhibit E4** shows the Airport Diagram (May 2016).

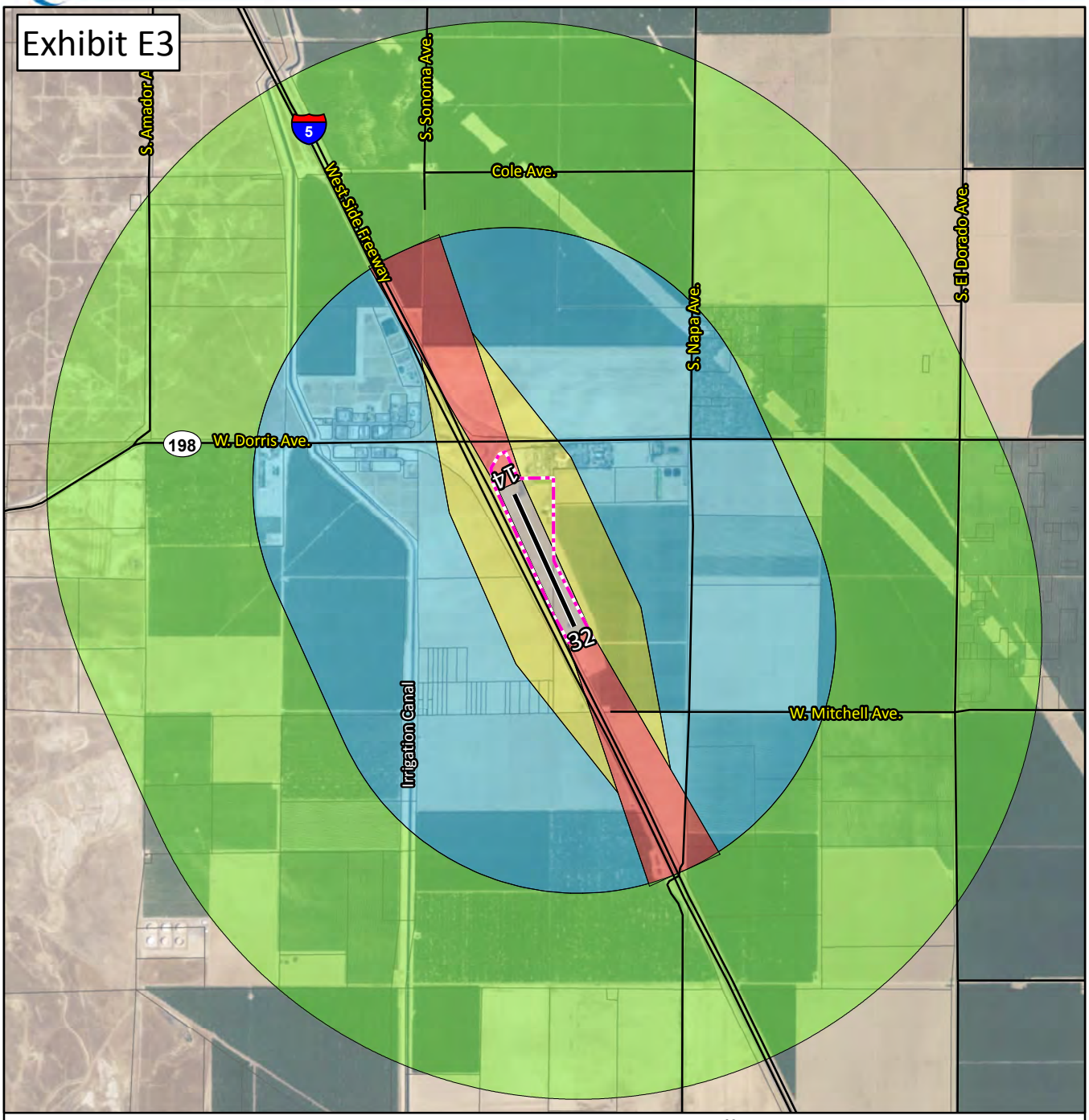
Runway 14-32 is the only runway at Harris Ranch Airport. It is 2,820 feet long and 30 feet wide. It is constructed of asphalt and in excellent condition. Runway 14 has a right-hand traffic pattern and Runway 32 has a left-hand traffic pattern. The maximum runway bearing strength is 30,000 pounds. There are basic runway pavement markings that are in good condition. The only runway lighting is the low intensity edge lighting. There are no visual or instrument approach aids.

**TABLE E2**
**Airport Facilities**
**Harris Ranch Airport**

| | Runway 14-32 |
|---|---|
| **RUNWAY** | |
| Length (feet) | 2,820 |
| Width (feet) | 30 |
| Threshold Displacement (feet) | 0 |
| Runway Pavement Surface Material | Asphalt |
| Runway Pavement Surface Treatment | Not listed |
| Runway Pavement Condition | Excellent |
| Traffic Pattern | Right \| Left |
| ***Runway Pavement Load Bearing Strength (lbs.)*** | |
| Single Wheel | 30,000 |
| Dual Wheel | N/A |
| Double Tandem | N/A |
| Double Dual Tandem | N/A |
| ***Runway Pavement Markings*** | |
| Type | Basic |
| Condition | Good |
| ***Runway Lighting*** | |
| Runway Edge Lighting | LIRL |
| Approach Lighting System (ALS) | N/A |
| Touchdown Point | N/A |
| Runway End Identifier Lights (REILs) | No |
| **VISUAL APPROACH AIDS** | |
| Type | No |
| Glide Path | No |
| **INSTRUMENT APPROACH AIDS** | |
| Instrument Landing System (ILS) | No |
| Global Positioning System (GPS) | No |
| VOR/DME | N/A |

N/A: Not Applicable
LIRL: Low Intensity Runway Lights
VOR/DME: Very High Frequency Omnidirectional Range Distance Measuring Equipment
**Source:** AirNav (July 2017)

# Exhibit E3




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets

Part 77 Surfaces[3]

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

N

0 3,000 6,000

1" = 3,000'

[1]Runway centerline placed from ESRI Imagery (2016)
[2]APN: 06506072S, APN: 06506081S.
[3]14 CFR, Subchapter E, Part 77, §77.25.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).





This diagram reflects existing conditions as well as anticipated growth over a 20-year period pursuant to the land use policies of the County of Fresno.

(Name and title of designated signer)

| No. | REVISION | BY | DATE |
|---|---|---|---|
| | | | |

Fresno County Airport Land Use Commission

Staffed by the Fresno Council of Governments

2035 Tulare Street, Suite 201
Fresno, CA 93721
(559) 233-4149
Fax (559)233-9645

# HARRIS RANCH AIRPORT
IN
COALINGA, CALIFORNIA
# AIRPORT DIAGRAM

Reviewed by:

(Initials of Designated Signer)

Drawn by: Fresno Council of Governments

Project Number:

Date: November 17, 2017

Sheet 1 of 1

### FUTURE AIRPORT PLANS

There are currently no changes proposed for the Airport during the planning horizon this plan covers.

## *AIRPORT ENVIRONS*

### EXISTING LAND USES

**Exhibit E5** shows existing land uses in the AIA.

The Airport is located entirely within unincorporated Fresno County. The Airport is accessible via West Side Freeway (Interstate 5) and West Dorris Avenue. The Airport is adjacent to the Harris Ranch Inn & Restaurant, which makes up most of the development nearby, except for some commercial uses to the northwest. The predominate land use in the AIA is agricultural, but there are also some areas used for industrial purposes; in many instances, this is drilling for oil.

### ZONING

**Exhibit E6** illustrates zoning in the AIA, all of which is zoned for agriculture.

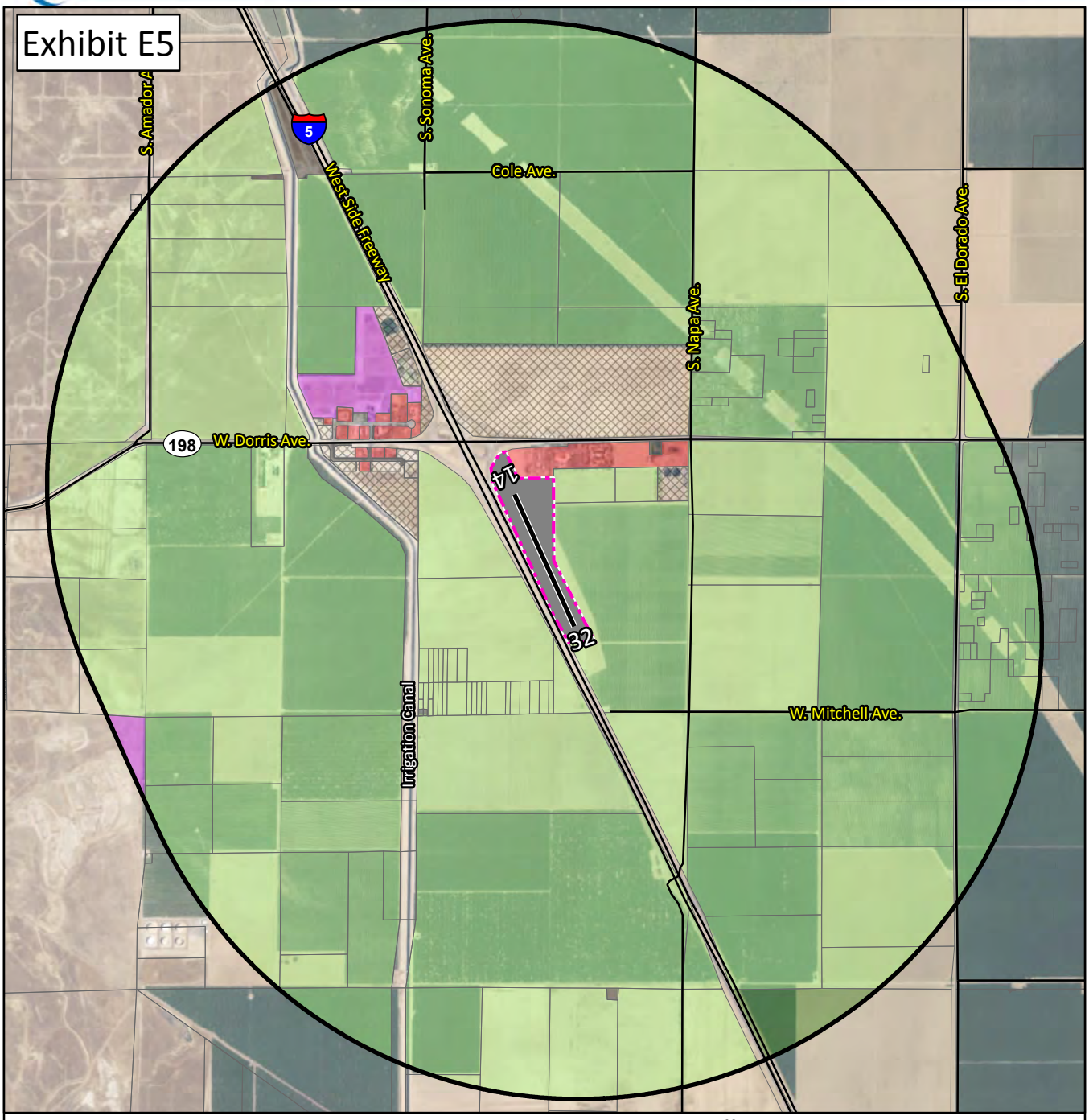
### GENERAL PLAN

**Exhibit E7** shows general plan land uses, which is all planned for agricultural use.

## *COMPATIBILITY FACTORS*

**Exhibit E8** is a compatibility factors map, which compiles National Transportation Safety Board flight accident data for all airports in the United States, noise exposure contours, and arrival and departure flight tracks from the noise exposure contours. The purpose of this exhibit is to illustrate the methodology behind the shape and size of the safety, noise, and airspace compatibility zones. As previously discussed, the traffic pattern is located west of the Airport; therefore, based on Handbook guidance, the Inner Turning Zone is only shown to the west.

# Exhibit E5




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets
- Airport Influence Area (AIA)[3]

Existing Land Use[4]

- Commercial
- Open Space
- Agriculture
- Industrial
- Transportation/Right-of-Way
- Vacant
- No Data

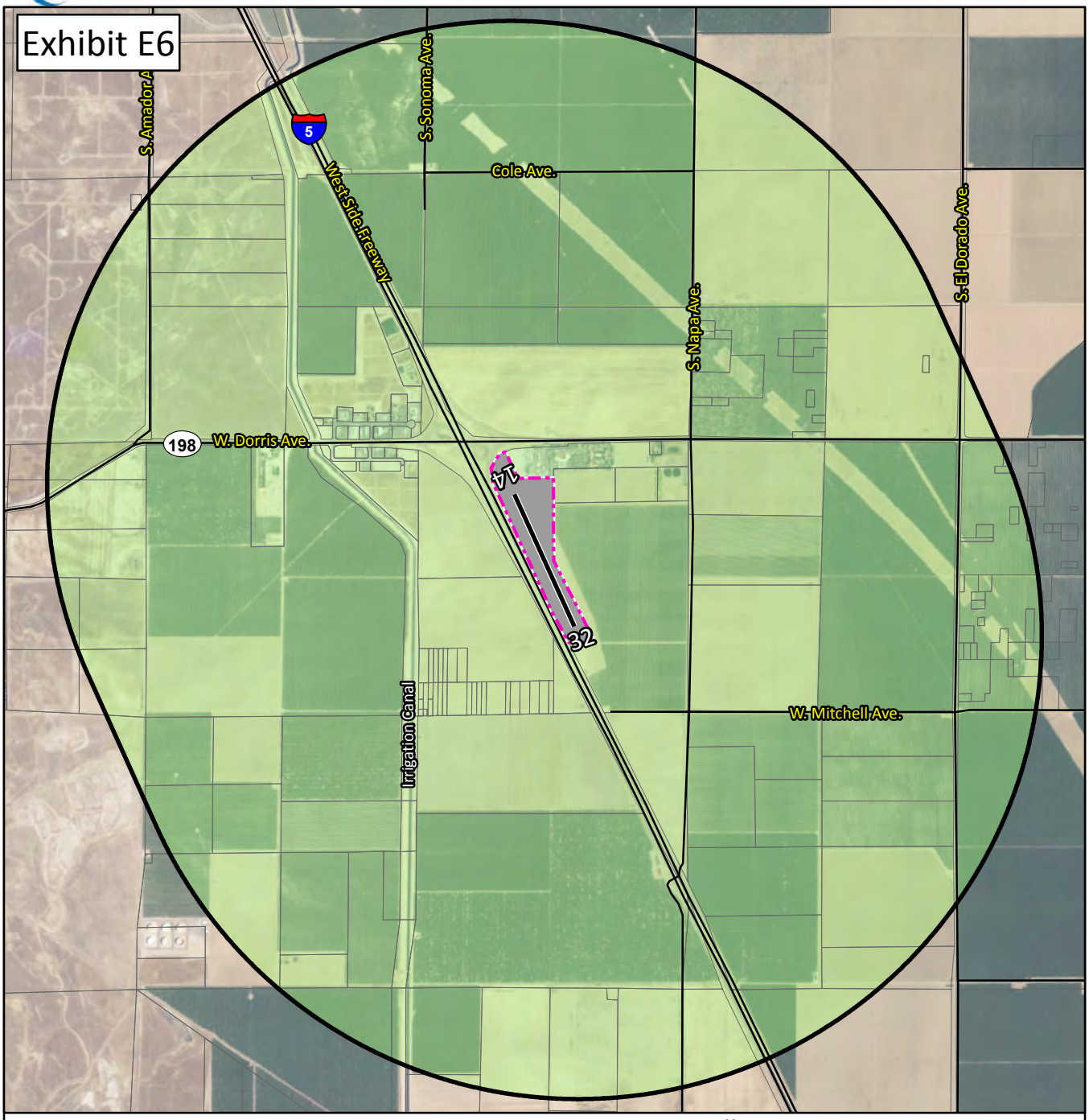
N

0 3,000 6,000

1" = 3,000'

[1]Runway centerline placed from ESRI Imagery (2016).
[2]APN: 06506072S, APN: 06506081S.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno Council of Governments.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).

# Exhibit E6




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets
- Airport Influence Area (AIA)[3]

Zoning[4]

- Agriculture

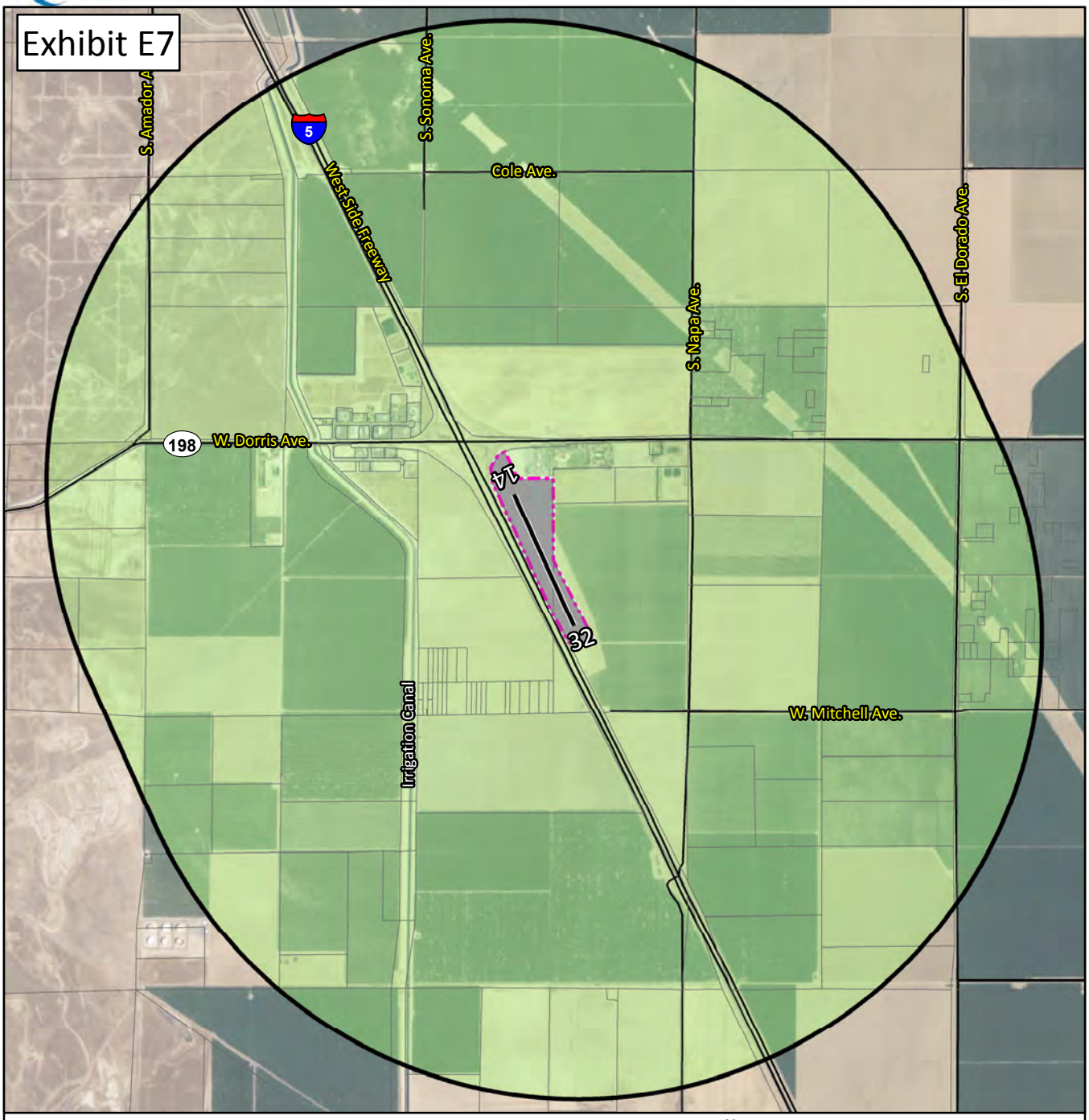
N

0 3,000 6,000

1" = 3,000'

[1]Runway centerline placed from ESRI Imagery (2016).
[2]APN: 06506072S, APN: 06506081S.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno County Zoning.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).

# Exhibit E7




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets
- Airport Influence Area (AIA)[3]

General Plan[4]

- Agriculture

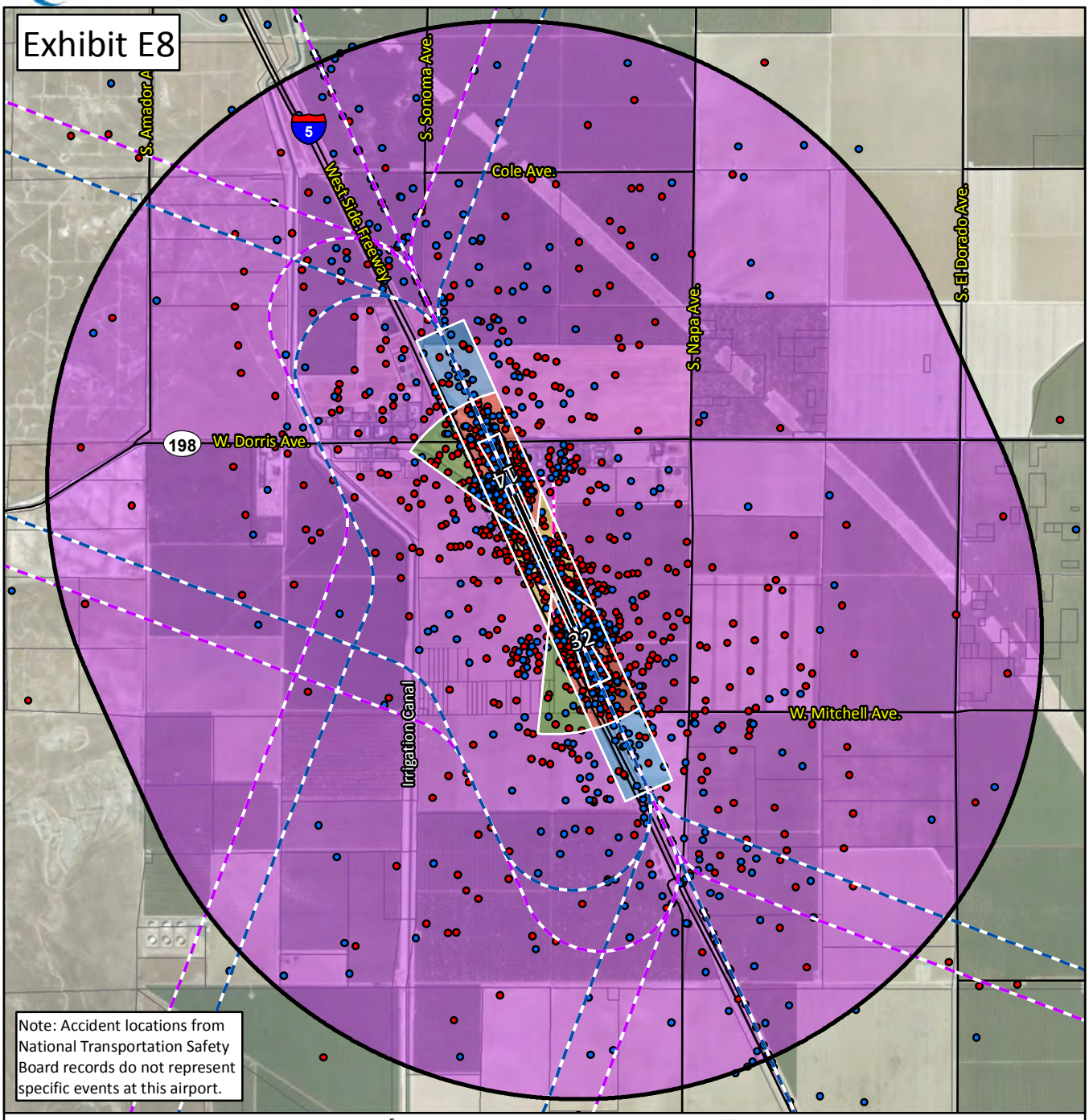
N

0 3,000 6,000

1" = 3,000'

[1]Runway centerline placed from ESRI Imagery (2016).
[2]APN: 06506072S, APN: 06506081S.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno County General Plan.
Sources: Fresno County, ESRI Streets, ESRI Basemap Imagery (2016).

# Exhibit E8




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets
- Arrival Accidents[3]
- Departure Accidents[3]
- Airport Influence Area (AIA)[4]

Flight Tracks[5]

- Approach
- Departure

Safety Zones[6]

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

N

0 3,000 6,000

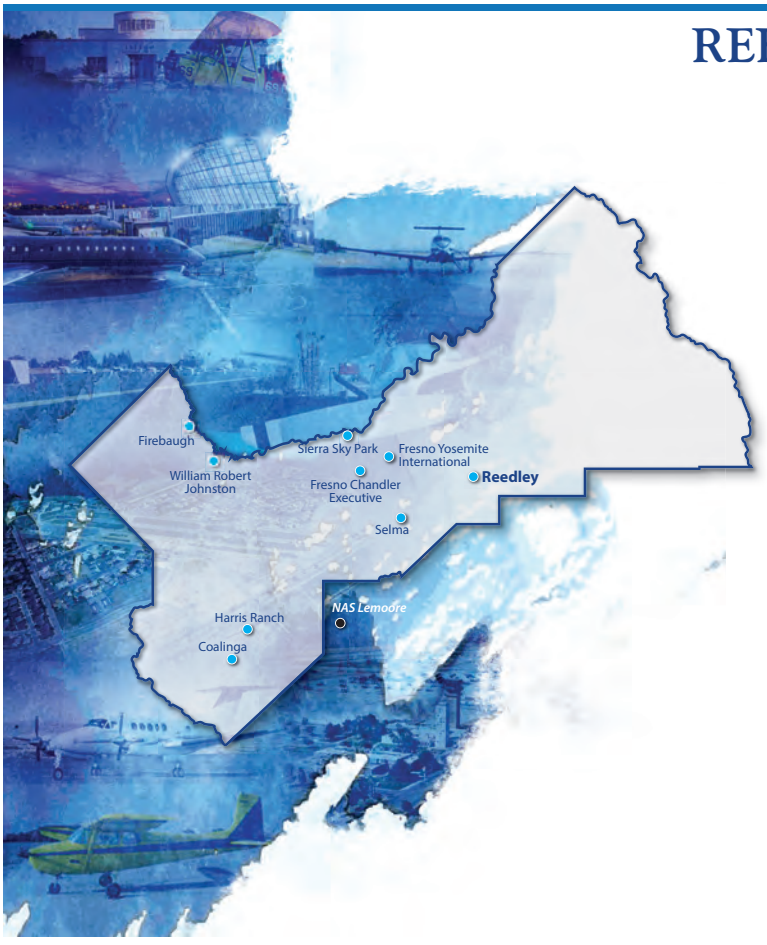
1" = 3,000'

[1]Runway centerline placed from ESRI Imagery (2016)
[2]Airport Boundary APN: 06506072S, APN: 06506081S.
[3]California Airport Land Use Planning Handbook, 2011. Normalized from airports in United States.
[4]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[5]Coffman Associates analysis.
[6]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

Fresno Council of Governments

Appendix F

# REEDLEY MUNICIPAL AIRPORT



# Appendix F: Reedley Municipal Airport

Appendix F provides an overview of Reedley Municipal Airport's (Airport) setting, airport influence area (AIA), safety zones, noise, and airspace and overflight areas. This Appendix will also discuss existing and planned land uses, as well as current and future Airport facilities.

Reedley Municipal Airport is located four miles north of the City of Reedley on approximately 143 acres of land with an access point for vehicles along South Frankwood Avenue. The Airport sits along the Kings River in the southeastern portion of Fresno County, approximately 25 miles southeast of Fresno. The Airport is a public use facility owned by the City of Reedley. The 2017 – 2021 *National Plan of Integrated Airport Systems* classifies Reedley Municipal Airport as a local general aviation facility, and the 2013 *California Aviation Systems Plan* considers the Airport a community facility.

## *SAFETY ZONES*

### EXISTING SAFETY ZONES

The Airport Influence Area (AIA) and Safety Zones for Reedley Municipal Airport are shown on **Exhibit F1**. Figure 3A of the California Airport Land Use Planning Handbook (Handbook) provides three example zones for general aviation airports, which are differentiated by runway length. The Handbook zone examples are provided as a starting point for developing safety zones specific to an airport. As discussed below, Reedley Municipal Airport has one runway, Runway 15-33, which is 3,300 feet long. The Federal Aviation Administration (FAA)-approved Airport Layout Plan (ALP) does not include any changes to the runway length. Therefore, the Safety Zones are based on the Short General Aviation Runway example. For this plan, the outermost zone in the Handbook examples was replaced by the 14 CFR Part 77 Conical

Surface, which also represents the airspace and overflight review area boundaries. Additional information regarding the safety compatibility zones can be found in **Appendix M**.

## *NOISE*

**Exhibit F2** depicts the long-range noise exposure contours from the 2007 *Reedley Municipal Airport Land Use Compatibility Plan.*

## *AIRSPACE AND OVERFLIGHT*

**Exhibit F3** depicts the Airspace Plan from the 2013 *Reedley Municipal Airport Layout Plan Update*. This exhibit includes the 14 CFR Part 77 Conical Surface which is also the Airport Influence Area (AIA) for Reedley Municipal Airport.

## *AIRPORT INFORMATION*

### AIRPORT FACILITIES

Airport facilities are detailed in **Table F1** and **Exhibit F4** shows the ALP (August 2013).

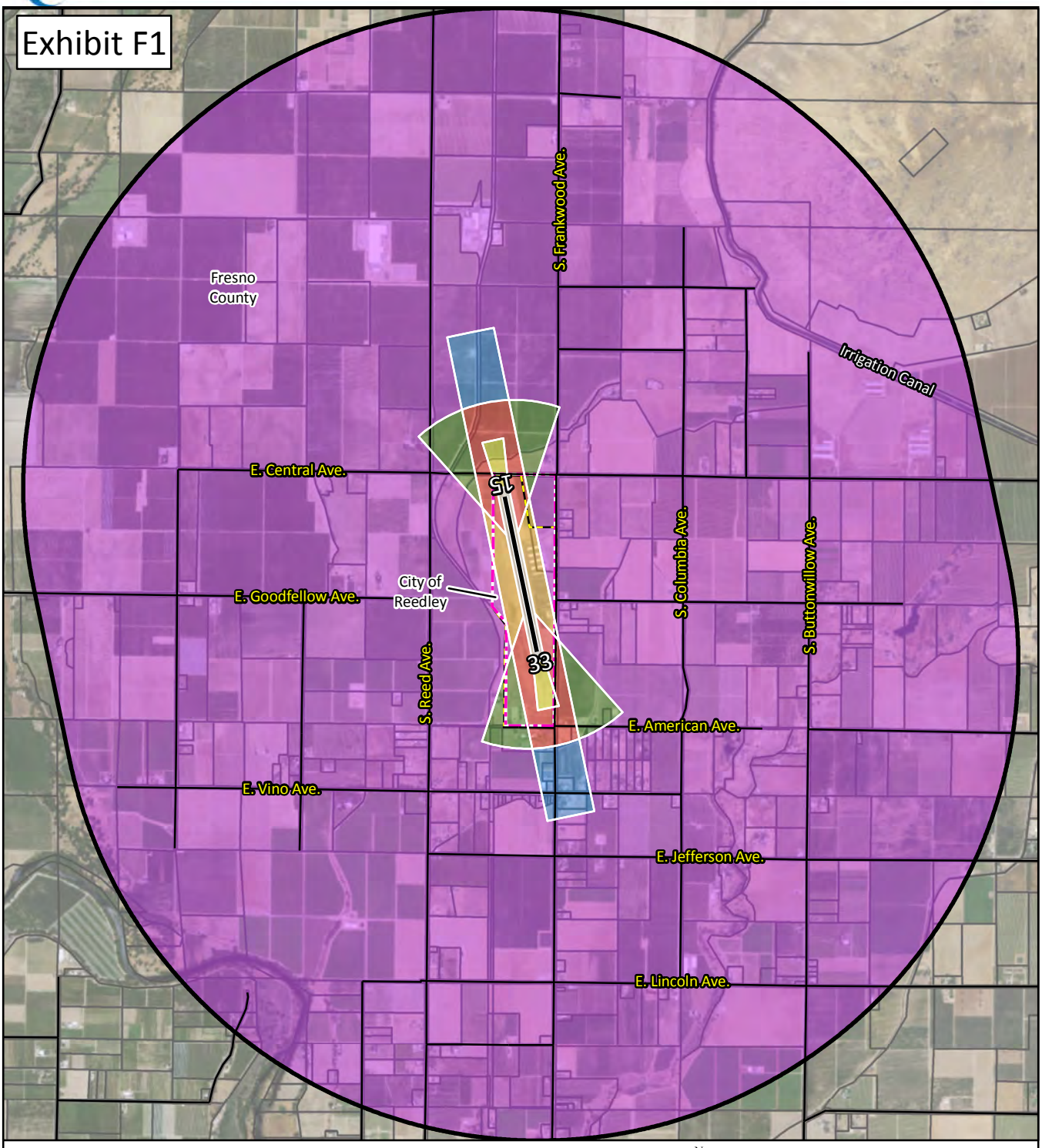
Reedley Municipal Airport has one runway, Runway 15-33, that is 3,300 feet long and 50 feet wide. The runway is constructed of asphalt and in good condition. Runway 15 has a standard, left-hand traffic pattern and Runway 33 has a right-hand traffic pattern to avoid the school that is one-half mile north of Runway 15 end. The runway can withstand up to 30,000 pounds. Runway pavement markings are basic and in good condition. Runway lighting consists of medium intensity runway lighting and runway end identifier lights. There is a touchdown point but it is unlighted. The runway has visual approach aids on both ends as there is a two-light precision approach path indicator (PAPI) on the left. The glide angle is three degrees on Runway 15 and four degrees on Runway 33. There are no instrument approach aids.

### FUTURE AIRPORT PLANS

According to the *Airport Layout Plan Update* (August 2013), the City of Reedley and the FAA plan to concentrate on enhancing Airport drainage and rehabilitation of existing infrastructure. Additionally, short-term development projects include:

- Design and construction of the Runway Safety Area (RSA) and shoulder safety improvements.
- Design and construction of transient aircraft apron pavement, closure and rehabilitation of the remaining apron.
- Design of airfield lighting, runway and taxiway signage, pavement markings improvements, and airport electrical upgrades.

# Exhibit F1




## LEGEND

- Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

Safety Zones[3]

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

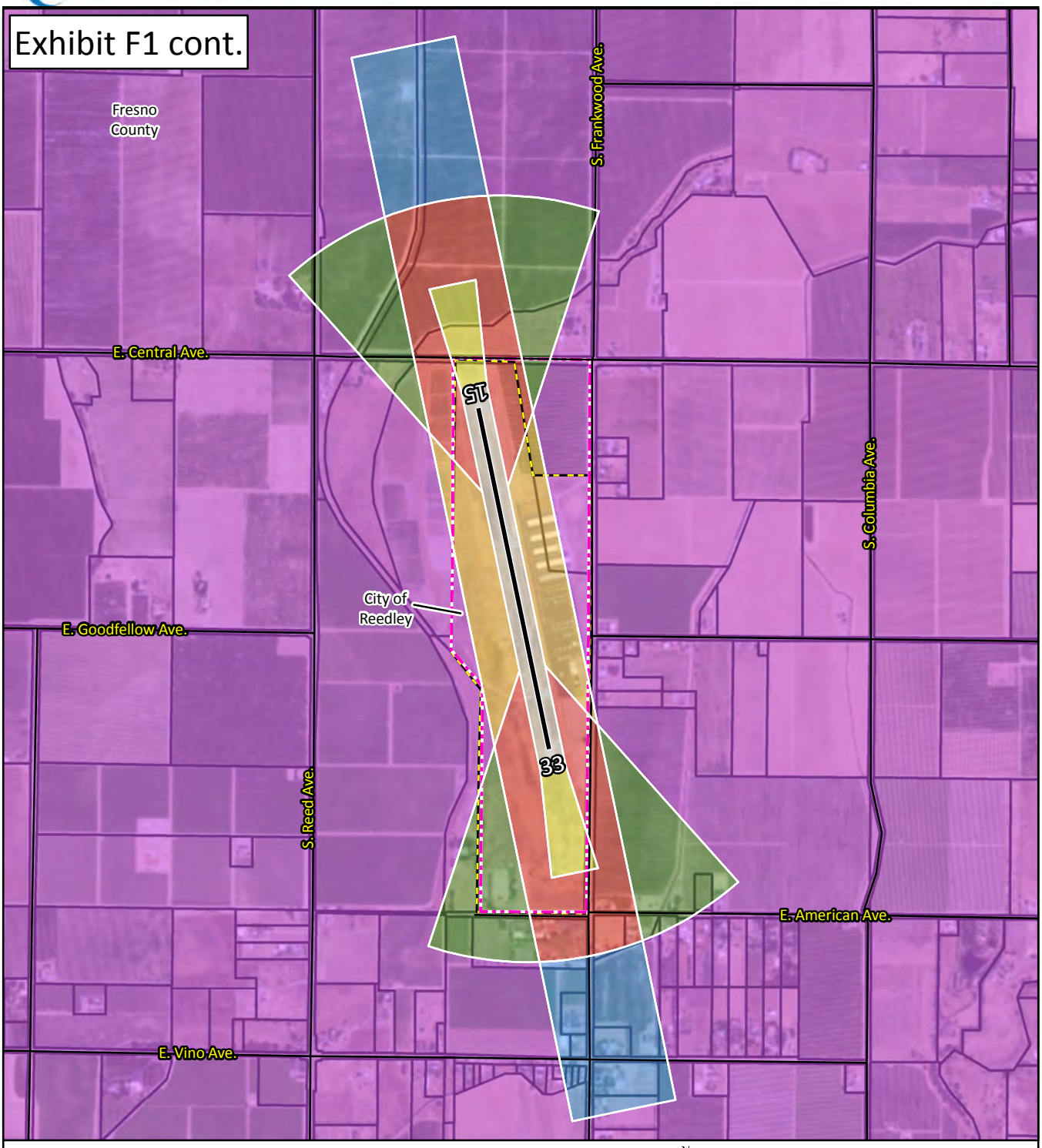
N

0 3,000 6,000

1" = 3,000'

[1]Reedley Municipal Airport Layout Plan (2013).
[2]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit F1 cont.




LEGEND

- Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets

Safety Zones[2]

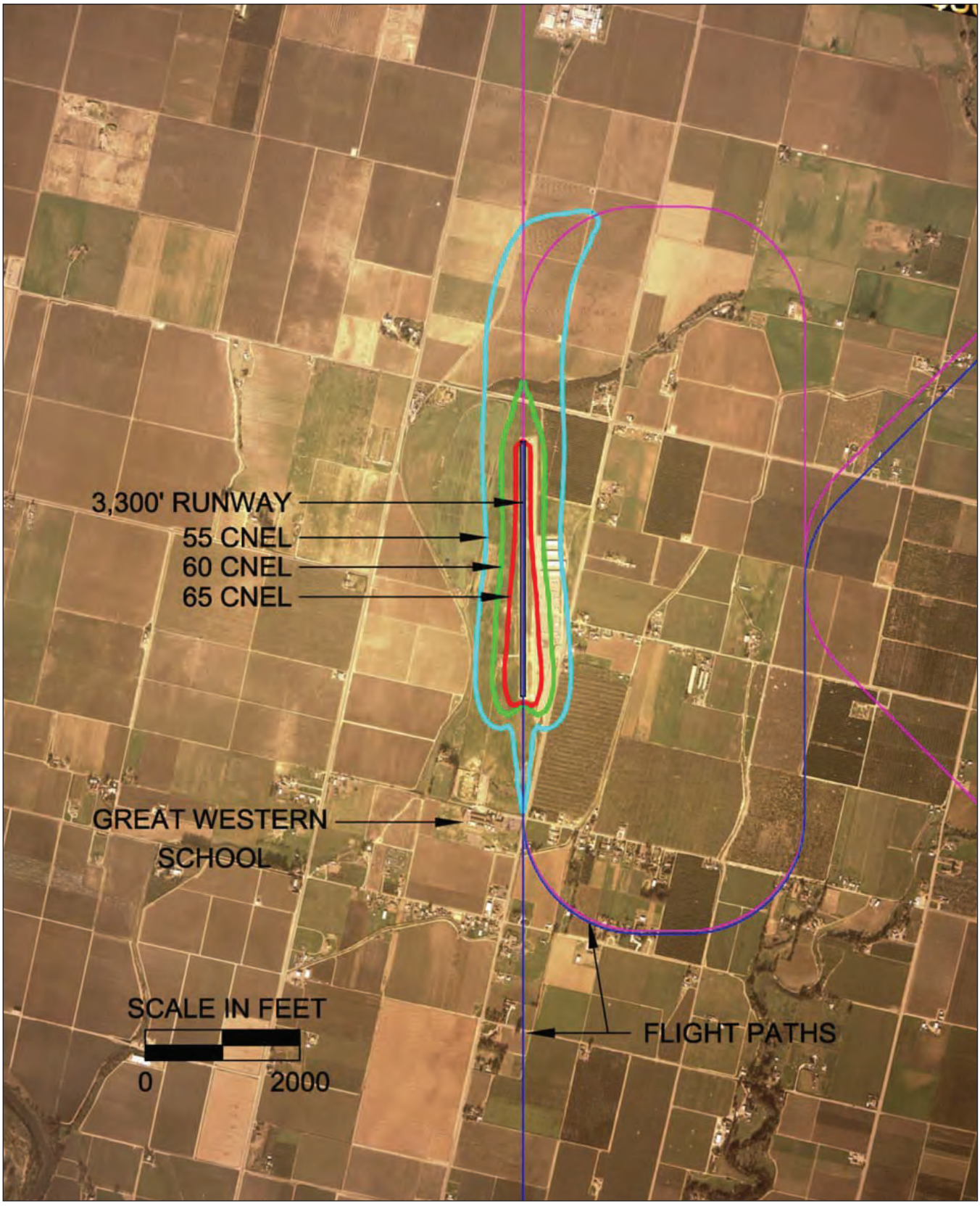
1. Runway Protection Zone
2. Inner Approach/Departure Zone
3. Inner Turning Zone
4. Outer Approach/Departure Zone
5. Sideline Zone
6. Traffic Pattern Zone

N

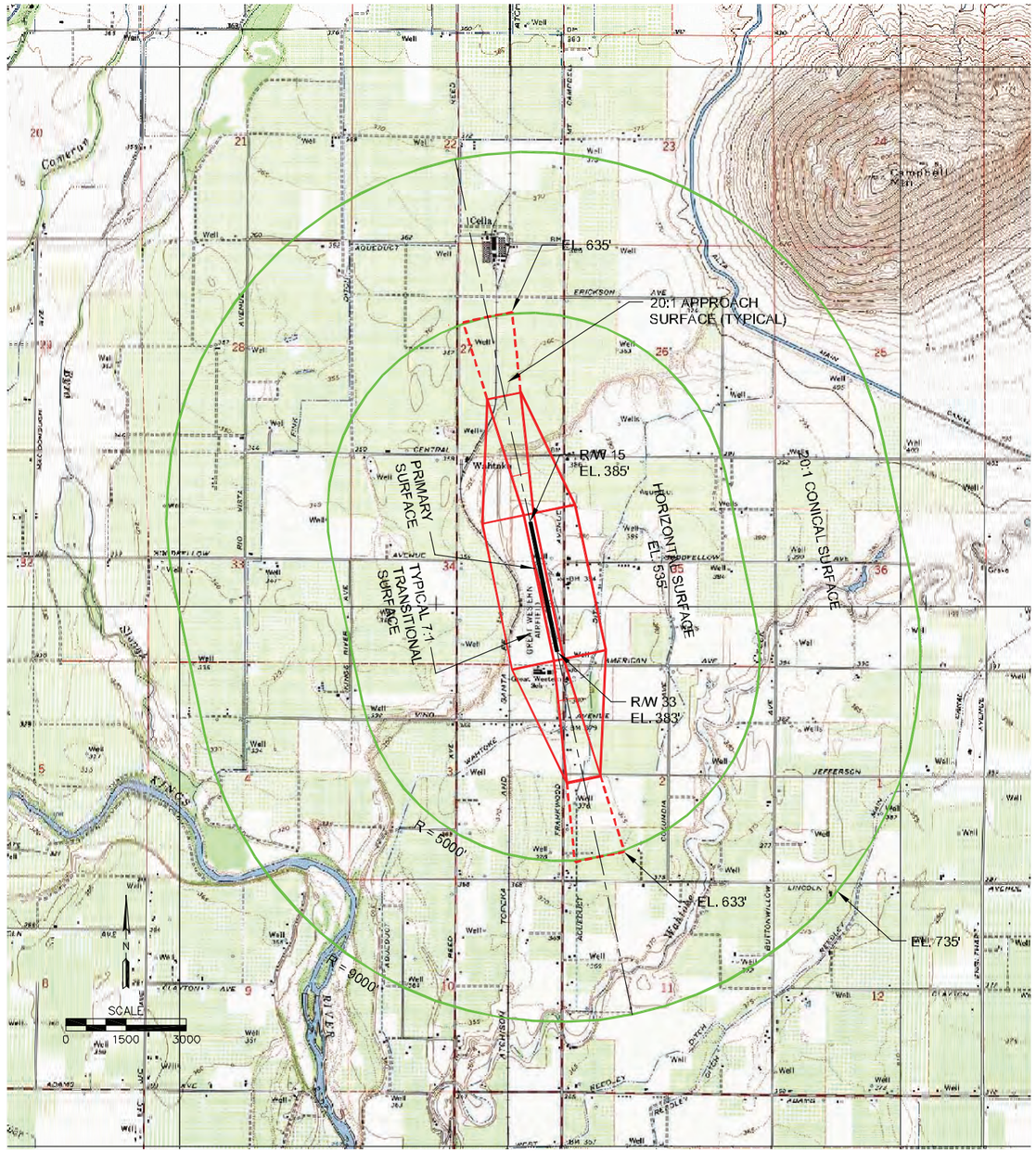
0 1,400 2,800

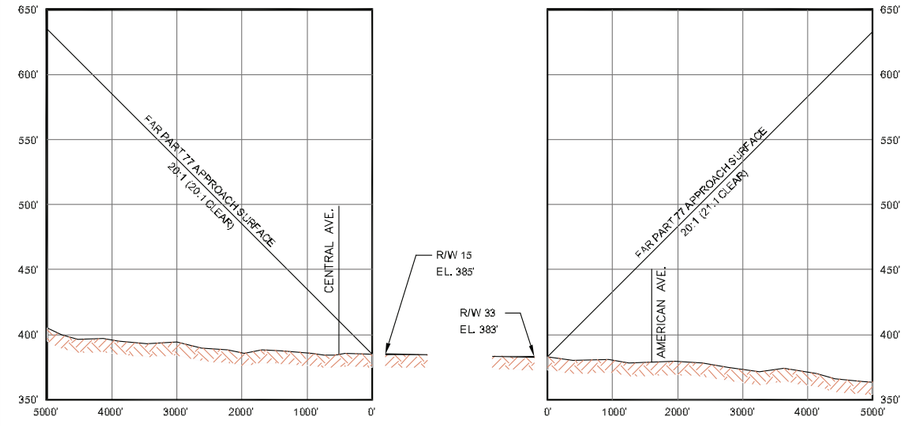
1" = 1,400'

[1]Reedley Municipal Airport Layout Plan (2013).
[2]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).



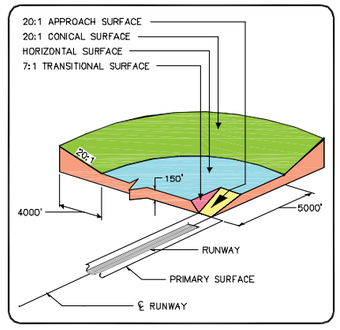

Source: Wadell Engineering Corporation




## APPROACH PROFILES

### ISOMETRIC VIEW




### APPROACH DATA

| RUNWAY NUMBER | 15 / 33 | |
|---|---|---|
| | EXISTING | FUTURE |
| LENGTH | 3300' | SAME |
| APPROACH TYPE | VISUAL | NON-PRECISION |
| NAVAIDS | PAPI | SAME |
| | | |
| APPROACH SURFACE | | |
| LENGTH | 5000' | SAME |
| SLOPE | 20:1 | SAME |
| INNER WIDTH | 250' | SAME |
| OUTER WIDTH | 1250' | SAME |
| RUNWAY PROTECTION ZONE | | |
| INNER WIDTH | 250' | SAME |
| OUTER WIDTH | 450' | SAME |
| LENGTH | 1000' | SAME |

### NOTES:

- THIS PLAN IS INTENDED TO PRESERVE AND PROTECT FOR AN EXISTING 3300' RUNWAY 15/33 WITH VISUAL APPROACHES ON BOTH ENDS AND SMALL AIRCRAFT ONLY.
- THERE ARE NO KNOWN PENETRATIONS OF THE HORIZONTAL, TRANSITIONAL OR CONICAL SURFACES.
- PROFILES REPRESENT A COMPOSITE OF THE HIGHEST TERRAIN IN THE APPROACH SURFACES.
- INFORMATION SOURCE: CURRENT U.S.G.S. MAPS.
- AIRPORT ELEVATION IS 385' MSL. AIRPORT REFERENCE POINT COORDINATES (NAD 83) ARE AS FOLLOWS:

| | EXISTING | FUTURE |
|---|---|---|
| LATITUDE | N 36°-40'-15.60" | SAME |
| LONGITUDE | W 119°-27'-03.59" | SAME |

REEDLEY MUNICIPAL AIRPORT
A CITY OF REEDLEY AVIATION FACILITY
REEDLEY CALIFORNIA

APPROACH AND RUNWAY PROTECTION ZONE DRAWING

DRAWING 2 OF 4
SCALE AS SHOWN
DATE MAR 2005

NO. | DATE | BY | REVISIONS
DRAWN DLH | CHECKED | DESIGNED RPW | JOB NUMBER 1314 | DRAWING NUMBER 1314-2RPZ


1314-2RPZ 12-16-03 1=1 REF: REEDLEYUSGS_0001 TO 0012
XREF: X-REEDLEY-MP-BRDR, USGS-COMBO-FULLSIZE

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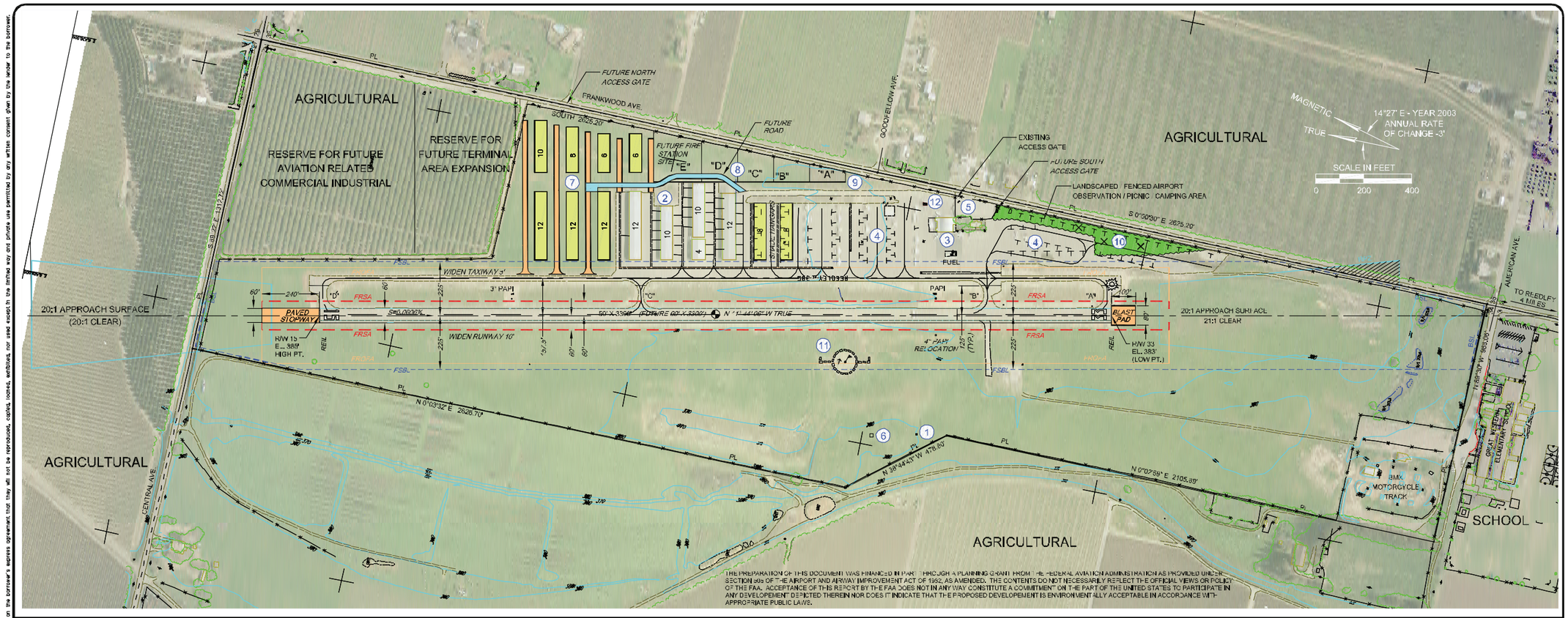



THE PREPARATION OF THIS DOCUMENT WAS FINANCED IN PART THROUGH A PLANNING GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AS PROVIDED UNDER SECTION 505 OF THE AIRPORT AND AIRWAY IMPROVEMENT ACT OF 1982, AS AMENDED. THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OR POLICY OF THE FAA. ACCEPTANCE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



1314-1ALP 03-04-05 1=1 XREF: X-REEDLEY-MP-ERDR, MASTER-NEW

## LEGEND

| | EXISTING | FUTURE |
|---|---|---|
| AIRPORT REFERENCE POINT | | SAME |
| AIRPORT PROPERTY LINE | | SAME |
| AVIGATION EASEMENT | | |
| BUILDING SETBACK LINE | | |
| RUNWAY SAFETY AREA | | |
| RUNWAY PROTECTION ZONES | | SAME |
| BUILDINGS | | |
| DRAINAGE | | |
| FACILITIES | | |
| FACILITY TO BE REMOVED | N/A | |
| FENCE | | |
| LIGHTING | | |
| WIND CONE | | |

## FACILITY DATA

| | |
|---|---|
| 1 | AIRPORT BEACON |
| 2 | HANGARS |
| 3 | FBO |
| 4 | APRON |
| 5 | AUTO PARKING |
| 6 | FUTURE AUTOMATED WEATHER OBSERVATION SYS. |
| 7 | FUTURE HANGARS |
| 8 | FUTURE AVIATION SPECIFIC HANGARS |
| 9 | FUTURE AIRPORT / FIRE DISTRICT STATION |
| 10 | FUTURE PICNIC / CAMP / OBSERVATION AREA |
| 11 | WINDCONE/SEGMENTED CIRCLE |
| 12 | FUTURE RELOCATED AIRPORT BEACON |

## AIRPORT DATA

| | | EXISTING | FUTURE |
|---|---|---|---|
| AIRPORT REFERENCE CODE CATEGORY | | A – I | SAME |
| ELEVATION (MSL) | | 385' | SAME |
| TEMPERATURE (MEAN MAX. OF HOTTEST MONTH) | | 98.5° F | SAME |
| REFERENCE POINT COORDINATES (NAD 83) | LATITUDE | N 36°-40'-15.60" | N 36°-40'-15.59" |
| | LONGITUDE | W 119°-27'-03.59" | W 119°-27'-03.64" |
| NAVIGATIONAL AIDS | | PAPI | REIL |
| ACREAGE | FEE TITLE | 138 | SAME |
| | AVIGATION EASEMENT | 0.4 | SAME |
| BASED AIRCRAFT PARKING DEMAND | TIEDOWNS | 22 | 74 |
| | HANGARS/SHELTERS | 48 | 21 |
| | TOTAL | 70 | 95 |
| TRANSIENT AIRCRAFT TIEDOWN DEMAND | | 4 | 7 |
| AIRPORT RESCUE & FIRE FIGHTING INDEX (ARFF) | | N/A | NA |

## 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' | 35' | 12.5 | SAME | MITL | SAME |
| A | EXIT | ASPHALT | 30' | 35' | 12.5 | SAME | MITL | SAME |
| B | EXIT | ASPHALT | 28' | 35' | 12.5 | SAME | MITL | SAME |
| C | EXIT | ASPHALT | 20' | 35' | 12.5 | SAME | MITL | SAME |
| D | EXIT | ASPHALT | 34' | 35' | 12.5 | SAME | MITL | SAME |

## RUNWAY DATA

| | | | RUNWAY 15–33 | |
|---|---|---|---|---|
| | | | EXISTING | FUTURE |
| RUNWAY CATEGORY | | | A – I | SAME |
| RUNWAY CLASSIFICATION | | | BASIC | SAME |
| PHYSICAL LENGTH, WIDTH, AND SURFACE | | | 3300'x60' ASPHALT | 3300'x60' ASPHALT |
| THRESHOLD DISPLACEMENT (D) OR RELOCATION (R) | | | NONE | SAME |
| EFFECTIVE GRADIENT (%) | | | 0.06 | SAME |
| PAVEMENT STRENGTH (1000#) SINGLE WHEEL GEAR | | | 12.5 | SAME |
| LIGHTING AND VISUAL AIDS | | | MIRL/PAPI | REIL |
| MARKING | | | BASIC | NON-PRECISION |
| CRITICAL DESIGN AIRCRAFT | RUNWAY LENGTH | | 5BTC | SAME |
| | PAVEMENT STRENGTH | | AC690 | SAME |
| | WINGSPAN | | AC690 | SAME |
| INSTRUMENT APPROACH TYPE/ RUNWAY FAR PART 77 CATEGORY | 15 | | VISUAL | NON-PRECISION |
| | 33 | | VISUAL | NON-PRECISION |
| APPROACH SLOPE REQUIRED/CLEAR | 15 | | 20:1/20:1 | SAME |
| | 33 | | 20:1/21:1 | SAME |
| APPROACH & LANDING AIDS | 15 | | NONE | GPS |
| | 33 | | NONE | GPS |
| RUNWAY END COORDINATES (NAD 83) | 15 | LAT. | N 36°-40'-31.55" | N 36°-40'-31.54" |
| | | LONG. | W 119°-27'-07.80" | W 119°-27'-07.85" |
| | 33 | LAT. | N 36°-39'-59.65" | N 36°-39'-59.64" |
| | | LONG. | W 119°-26'-59.38" | W 119°-26'-59.18" |
| RUNWAY SAFETY AREA DIMENSIONS: | WIDTH | | 120' | SAME |
| | LENGTH (240' BEYOND END) | | 3780' | SAME |
| RUNWAY PROTECTION ZONE DIMENSIONS: (INNER/OUTER/LENGTH) | 15 | | 250/450/1000 | SAME |
| | 33 | | 250/450/1000 | SAME |
| RUNWAY OBSTACLE FREE ZONE AIRCRAFT | | | SMALL | SAME |
| WIND COVERAGE (%) | 12 MPH ALL WEATHER | | N/A | SAME |
| | 16 MPH ALL WEATHER | | N/A | SAME |

## FAA APPROVAL

## CITY OF REEDLEY

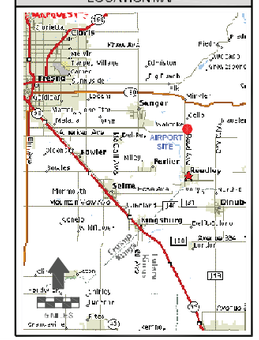
By: _____ Date: _____

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 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. NO OFZ OBJECT PENETRATIONS.

## LOCATION MAP




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

DRAWN DLH CHECKED REV DESIGNED RPW

REEDLEY MUNICIPAL AIRPORT
A CITY OF REEDLEY AVIATION FACILITY
REEDLEY CALIFORNIA

AIRPORT LAYOUT PLAN

DRAWING 1 OF 4

SCALE AS SHOWN

JOB NUMBER 1314 DRAWING NUMBER 1314-1ALP DATE MAR 2005

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

- Design and construction of 4,790 linear feet of perimeter fencing on the west side of Airport property, including upgrades to existing security gates and construction of an emergency vehicle access gate and staging pad.

**TABLE F1**
**Airport Facilities**
**Reedley Municipal Airport**

| | Runway 15-33 |
|---|---|
| **RUNWAY** | |
| Length (feet) | 3,300 |
| Width (feet) | 50 |
| Threshold Displacement (feet) | 0 |
| Runway Pavement Surface Material | Asphalt |
| Runway Pavement Surface Treatment | Not listed |
| Runway Pavement Condition | Good |
| Traffic Pattern | Left \| Right |
| ***Runway Pavement Load Bearing Strength (lbs.)*** | |
| Single Wheel | 30,000 |
| Dual Wheel | N/A |
| Double Tandem | N/A |
| Double Dual Tandem | N/A |
| ***Runway Pavement Markings*** | |
| Type | Basic |
| Condition | Fair |
| ***Runway Lighting*** | |
| Runway Edge Lighting | MIRL |
| Approach Lighting System (ALS) | No |
| Touchdown Point | Yes (no lights) |
| Runway End Identifier Lights (REILs) | Yes |
| **VISUAL APPROACH AIDS** | |
| Type | 2-Light PAPI on Left |
| Glide Path | 3.00 degrees \| 4.00 degrees |
| **INSTRUMENT APPROACH AIDS** | |
| Instrument Landing System (ILS) | No |
| Global Positioning System (GPS) | No |
| VOR/DME | No |

N/A: Not Applicable
MIRL: Medium Intensity Runway Lights
PAPI: Precision Approach Path Indicator
VOR/DME: Very High Frequency Omnidirectional Range Distance Measuring Equipment
**Source:** AirNav (July 2017)

## *AIRPORT ENVIRONS*

### EXISTING LAND USES

**Exhibit F5** shows existing land uses in the AIA.

The surrounding land uses are dominated by agricultural uses. There are two sections of Airport property that are being leased: an orchard on the north end of the Airport, east of Runway 15; and a BMX track in the southern corner of Airport property. Great Western Elementary School and some residential land uses are located less than a half mile south of Runway 33. There are also some residences along the eastern Airport property boundary on South Frankwood Avenue.

### ZONING

Zoning in the AIA is shown on **Exhibit F6**.

Almost the entirety of the AIA is zoned for agriculture, except for an area zoned for open space in the southwest corner.

### GENERAL PLAN

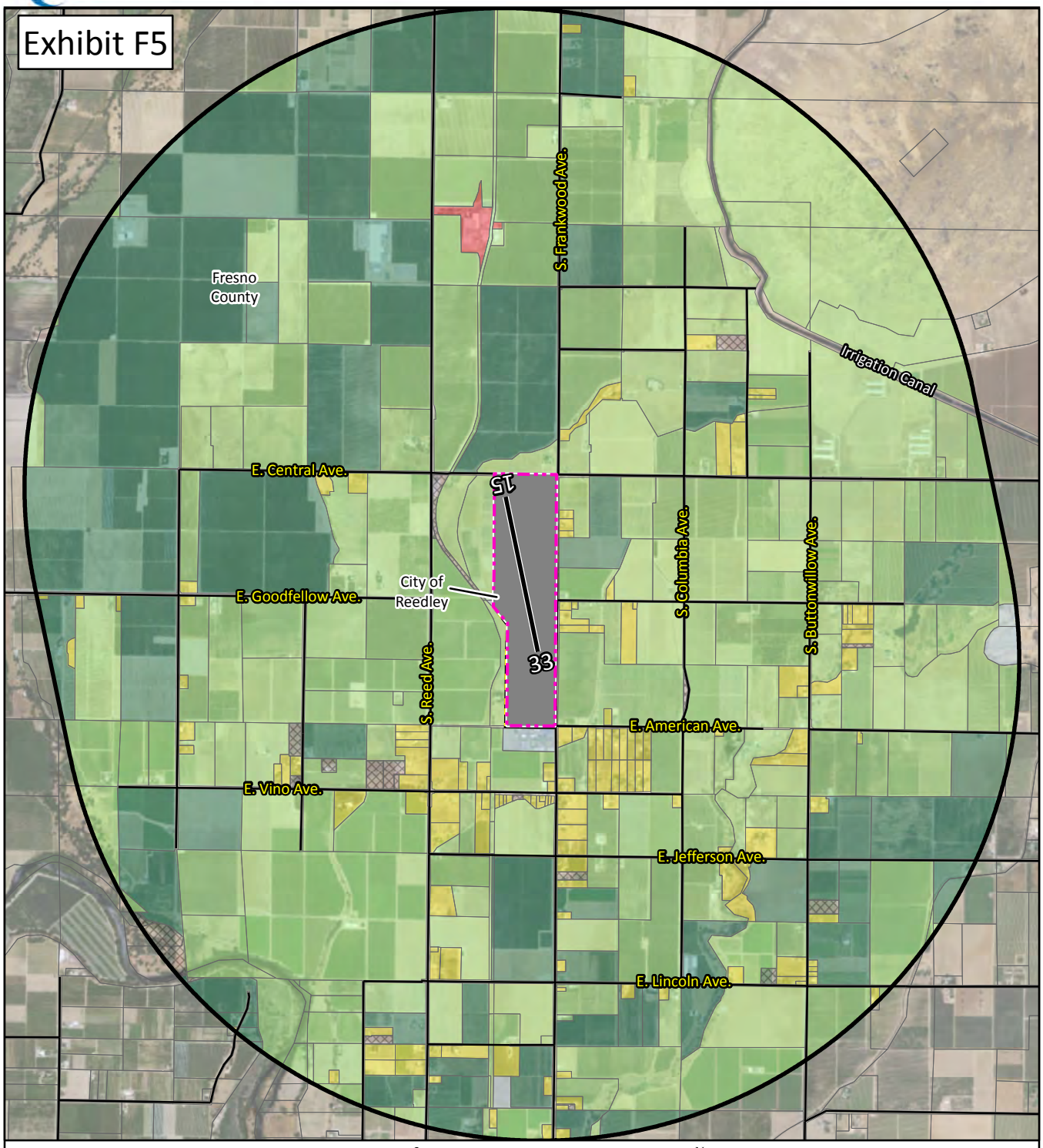
**Exhibit F7** shows general plan land uses near the Airport.

Similar to zoning, the entirety of the AIA is planned for agricultural uses.

## *COMPATIBILITY FACTORS*

**Exhibit F8** is a compatibility factors map, which compiles National Transportation Safety Board flight accident data for all airports in the United States, noise exposure contours, and arrival and departure flight tracks from the noise exposure contours. The purpose of this exhibit is to illustrate the methodology behind the shape and size of the safety, noise, and airspace compatibility zones.

# Exhibit F5




LEGEND

- Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

Existing Land Use[3]

- Single Family Residential
- Commercial
- Public
- Open Space
- Agricultural
- Vacant

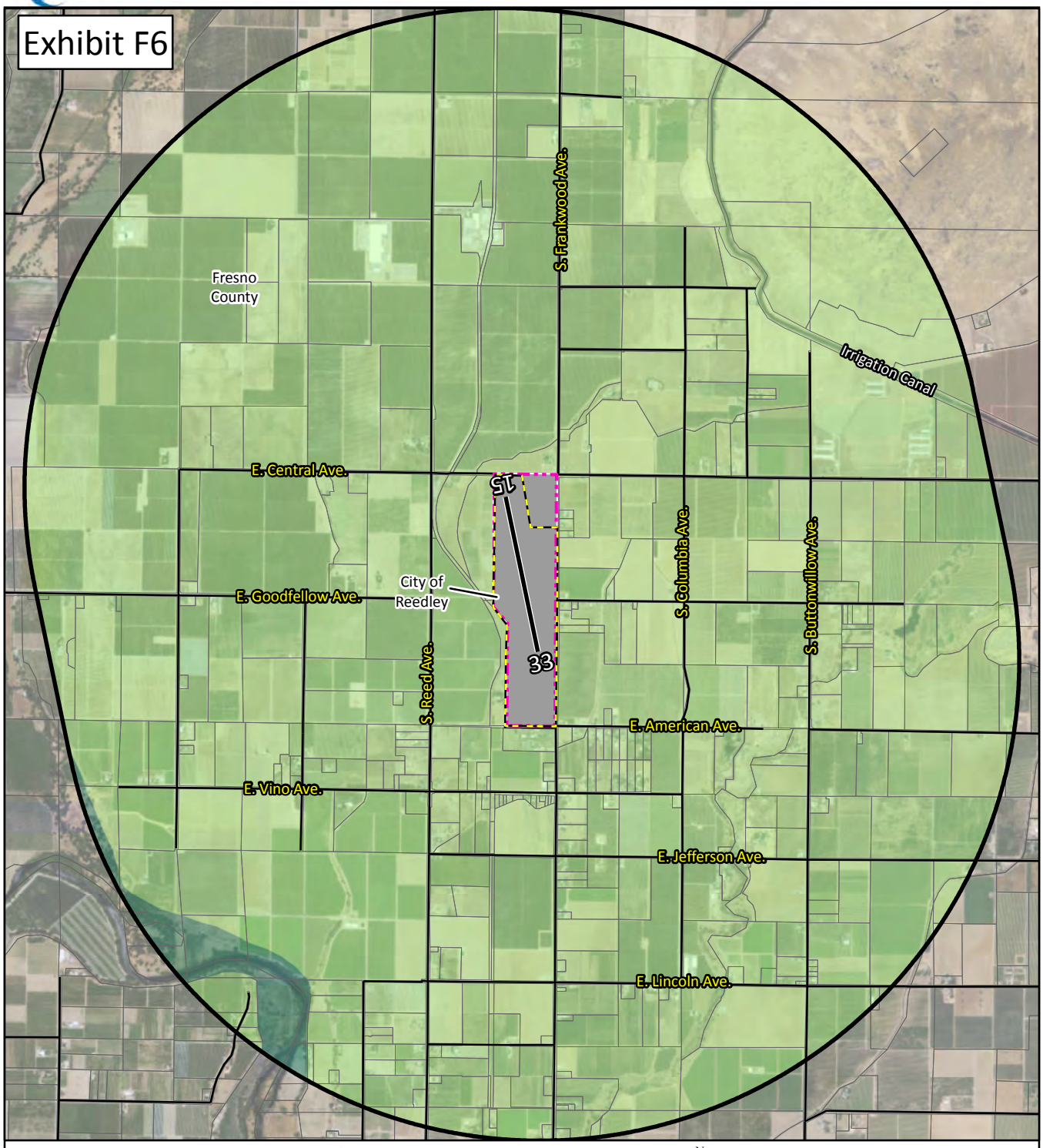
N

0 3,000 6,000

1" = 3,000'

[1]Reedley Municipal Airport Layout Plan (2013).
[2]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]Fresno Council of Governments.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit F6




LEGEND

- Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

Zoning[3]

- Open Space
- Agriculture

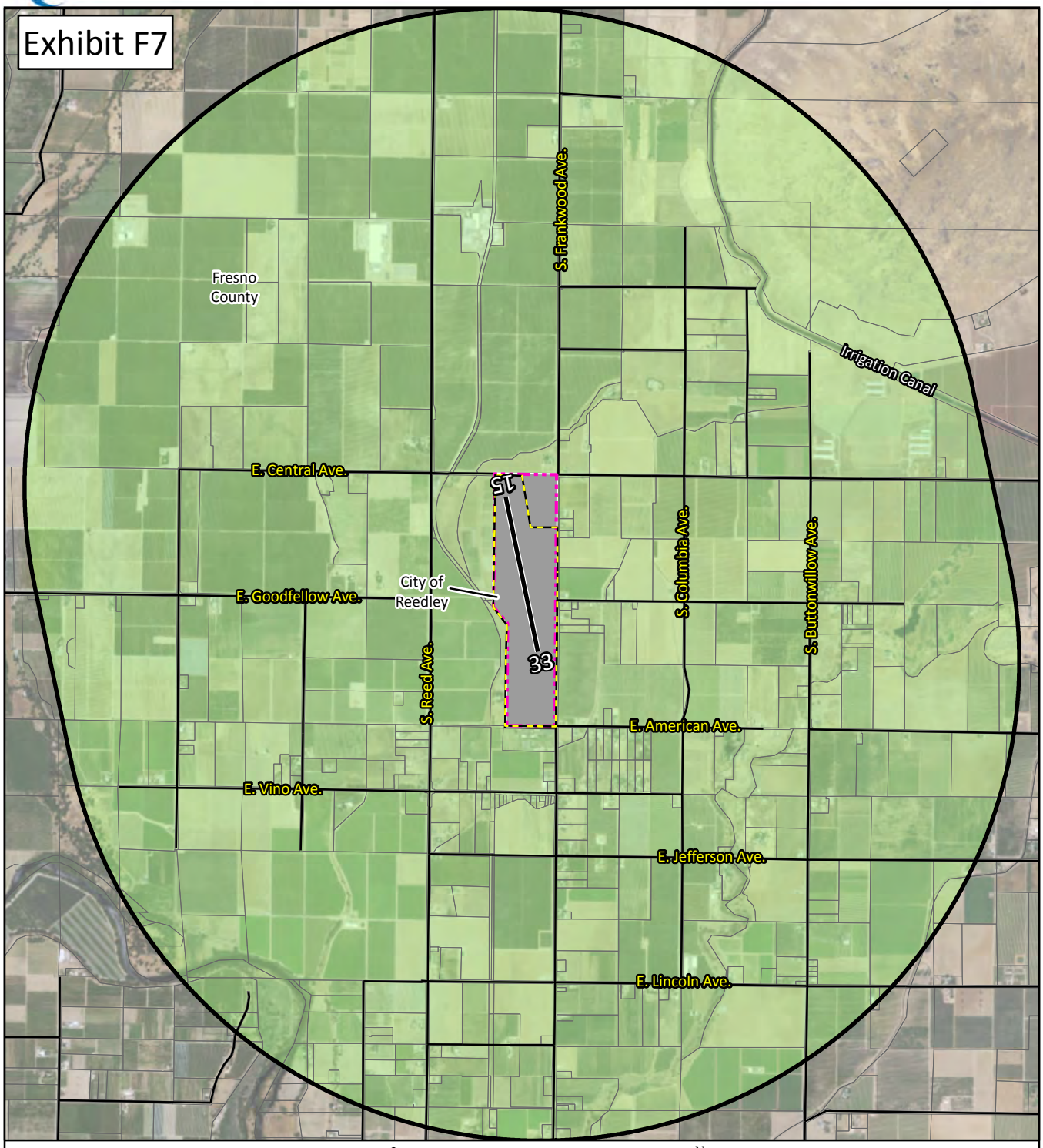
N

0 3,000 6,000

1" = 3,000'

[1]Reedley Municipal Airport Layout Plan (2013).
[2]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]Fresno County Zoning.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit F7




LEGEND

- Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[2]

General Plan[3]

- Agriculture

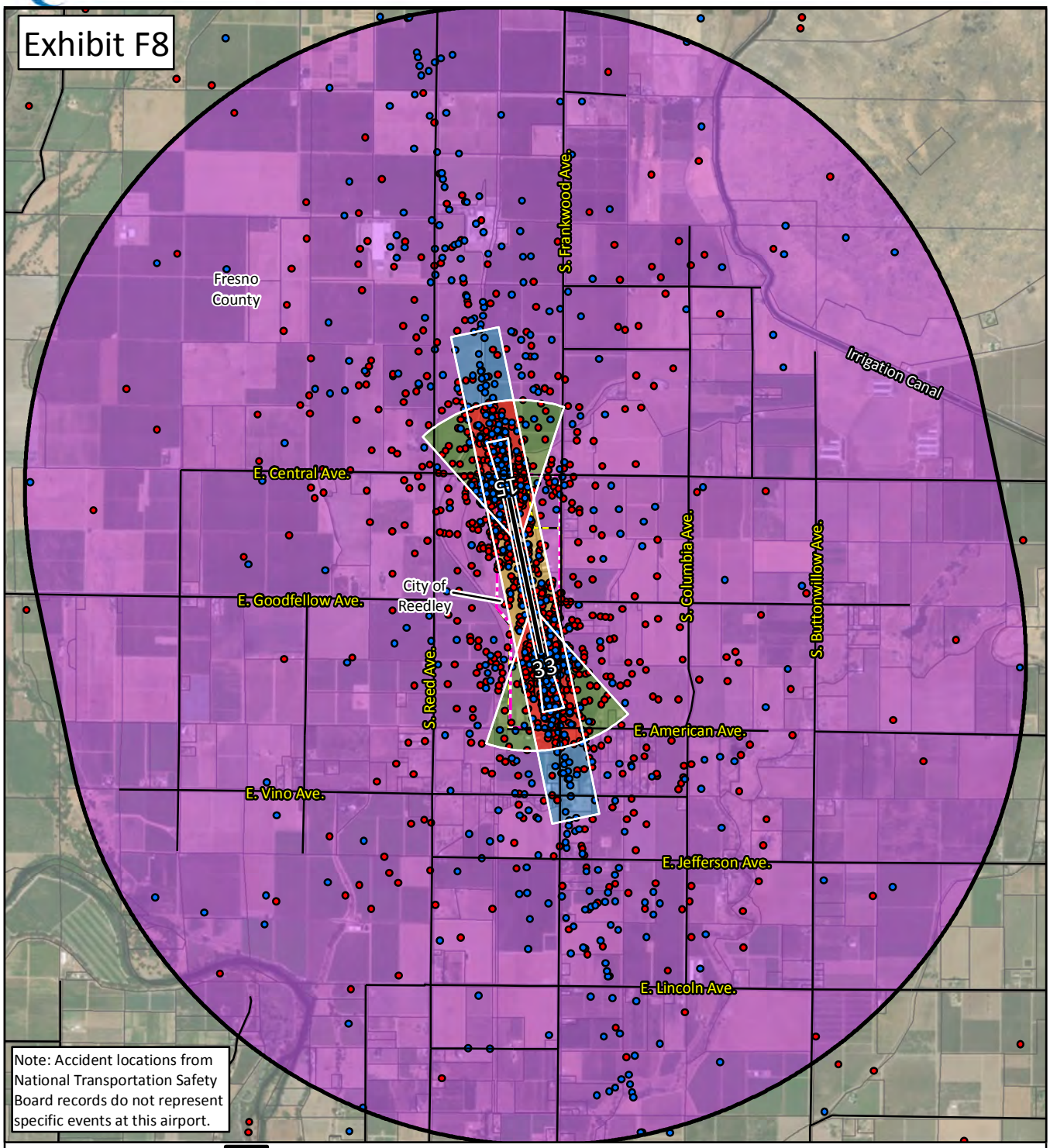
N

0 3,000 6,000

1" = 3,000'

[1]Reedley Municipal Airport Layout Plan (2013).
[2]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[3]Fresno County General Plan.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit F8




LEGEND

- Runway[1]
- Airport Property[1]
- Parcel Boundary
- Municipal Boundary
- Streets
- Arrival Accidents[2]
- Departure Accidents[2]
- Airport Influence Area (AIA)[3]

Safety Zones[4]

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

N

0 3,000 6,000

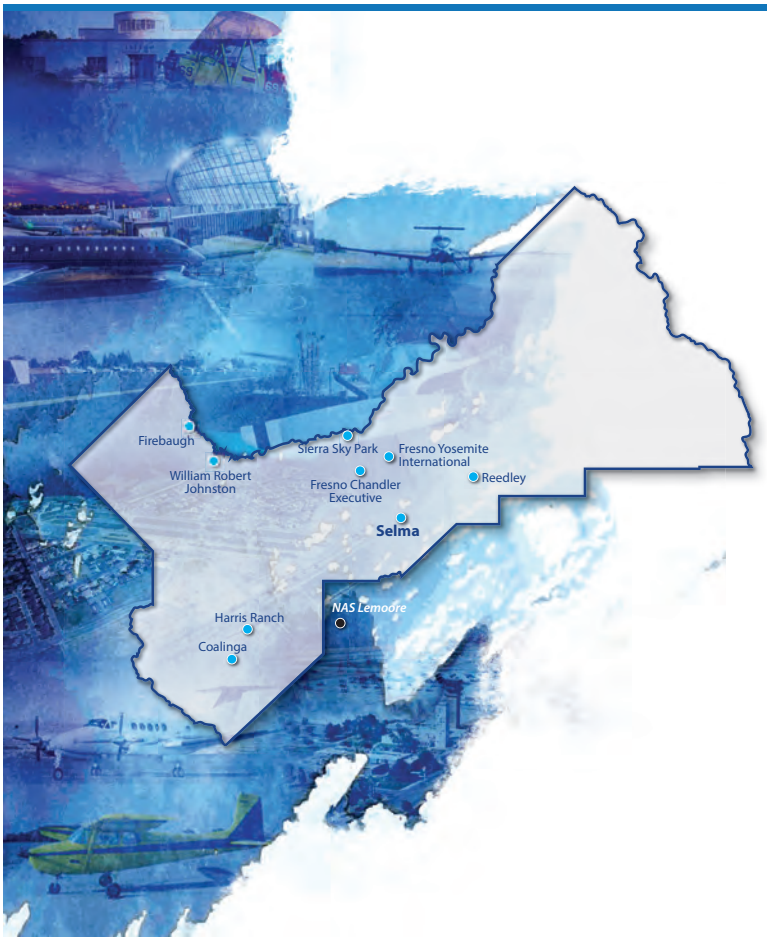
1" = 3,000'

[1]Reedley Municipal Airport Layout Plan (2013).
[2]California Airport Land Use Planning Handbook, 2011. Normalized from airports in United States.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

Fresno Council of Governments

# Appendix G

# SELMA AIRPORT



# Appendix G: Selma Airport

Appendix G provides an overview of Selma Airport's (Airport) setting, airport influence area (AIA), safety zones, noise, and airspace and overflight areas. This Appendix will also discuss existing and planned land uses, as well as current and future Airport facilities.

Selma Airport is two miles northwest of the City of Selma. The Airport is a public use airport that is privately owned by Selma Aerodrome, Inc. The Airport is not classified in the 2017 – 2021 *National Plan of Integrated Airport Systems*; however, it is classified as a community facility in the 2013 *California Aviation System Plan.* The Airport covers 23 acres of land and is at an elevation of 305 feet above mean sea level.

## *SAFETY ZONES*

The Airport Influence Area (AIA) and Safety Zones for Selma Airport are shown on **Exhibit G1**. Figure 3A of the California Airport Land Use Planning Handbook (Handbook) provides three example zones for general aviation airports, which are differentiated by runway length. The Handbook zone examples are provided as a starting point for developing safety zones specific to an airport. As discussed below, Selma Airport has one runway, Runway 10-28, which is 2,000 feet long. The California Department of Transportation, Division of Aeronautics-approved airport diagram does not include any changes to the runway length. Therefore, the Safety Zones are based on the Short General Aviation Runway example. For this plan, the outermost zone in the Handbook examples was replaced by the 14 CFR Part 77 Conical Surface, which also represents the airspace and overflight review area boundaries. Additional information regarding the safety compatibility zones can be found in **Appendix M**.

## *NOISE*

The standard methodology for analyzing noise conditions at airports involves the use of a computer simulation model. The Airport Environmental Design Tool Version 2c (AEDT) is accepted by the State of California and required by the FAA for developing noise exposure contours. This is the model used to develop the noise exposure contours for this Airport Land Use Compatibility Plan (ALUCP). The following sections describe the noise modeling inputs for the Selma Airport noise exposure contours shown on **Exhibit G2**. Additional information regarding the noise modeling process and land use compatibility thresholds can be found in **Appendix M**.

### AIRCRAFT OPERATIONS AND FLEET MIX

As outlined in Public Utilities Code (PUC) Section 21675(a), the noise contours included in an ALUCP must reflect the anticipated growth of the airport during at least the next 20 years. **Table G1** summarizes the 2037 operations for the Airport using the Model for Estimating General Aviation Operations at Non-Towered Airports (GRA, Inc. 2001) and also includes the aircraft types used in the noise model. Airfield observations and based aircraft lists were used to determine the types of aircraft which frequently use the Airport. To accurately represent the noise conditions at the Airport, the AEDT provides aircraft noise data for many of the aircraft operating in the national fleet.

The selection of individual aircraft types is important to the modeling process because different aircraft types generate different noise levels. The aircraft fleet mix for Selma Airport was derived from an interview with the Airport manager and based aircraft list. **Table G1** summarizes the generalized fleet mix data input into the noise analysis.

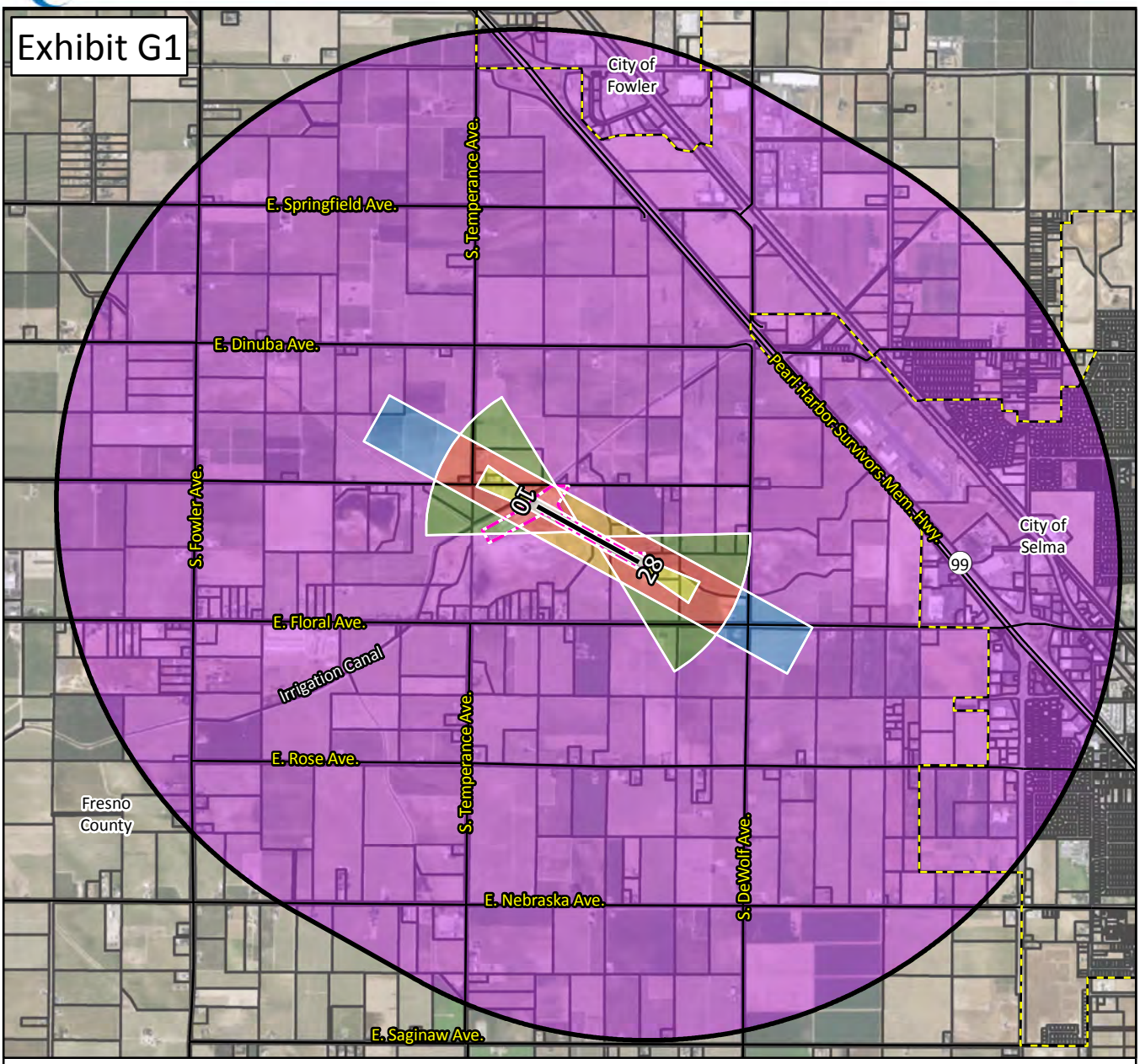
A variety of general aviation, single engine fixed-propeller aircraft are modeled with the GASEPV and GASEPF aircraft in the AEDT. The GASEPV represents many single engine general aviation aircraft including the Mooney M-20, Cessna 172 and 180, Piper Cherokee Arrow, and the Air Tractor AT-502 and AT-802. The general aviation, single engine fixed-pitch propeller model, the GASEPF, also represents several single engine general aviation aircraft. These include the Cessna 150, Piper Archer, and the Piper Tomahawk.

**TABLE G1**
**Selma Airport**
**Aircraft Fleet Mix and Operations**

| Operations | AEDT Designator | 2017 | 2037[2] |
|---|---|---|---|
| **Itinerant** | | | |
| Single Engine, Fixed | GASEPF | 3,733 | 3,733 |
| Single Engine, Variable | GASEPV | 3,733 | 3,733 |
| Subtotal | | 7,466 | 7,466 |
| **Local** | | | |
| Single Engine, Fixed | GASEPF | 2,667 | 2,667 |
| Single Engine, Variable | GASEPV | 2,667 | 2,667 |
| Subtotal | | 5,344 | 5,344 |
| Grand Total | | 12,000 | 12,000 |

Source:
[1] FAA 5010 Airport Master Record, operations for 12 months ending August 30, 2016
[2] Model for Estimating General Aviation Operations at Non-Towered Airports (GRA, Inc. 2001)

# Exhibit G1




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[3]

Safety Zones[4]

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

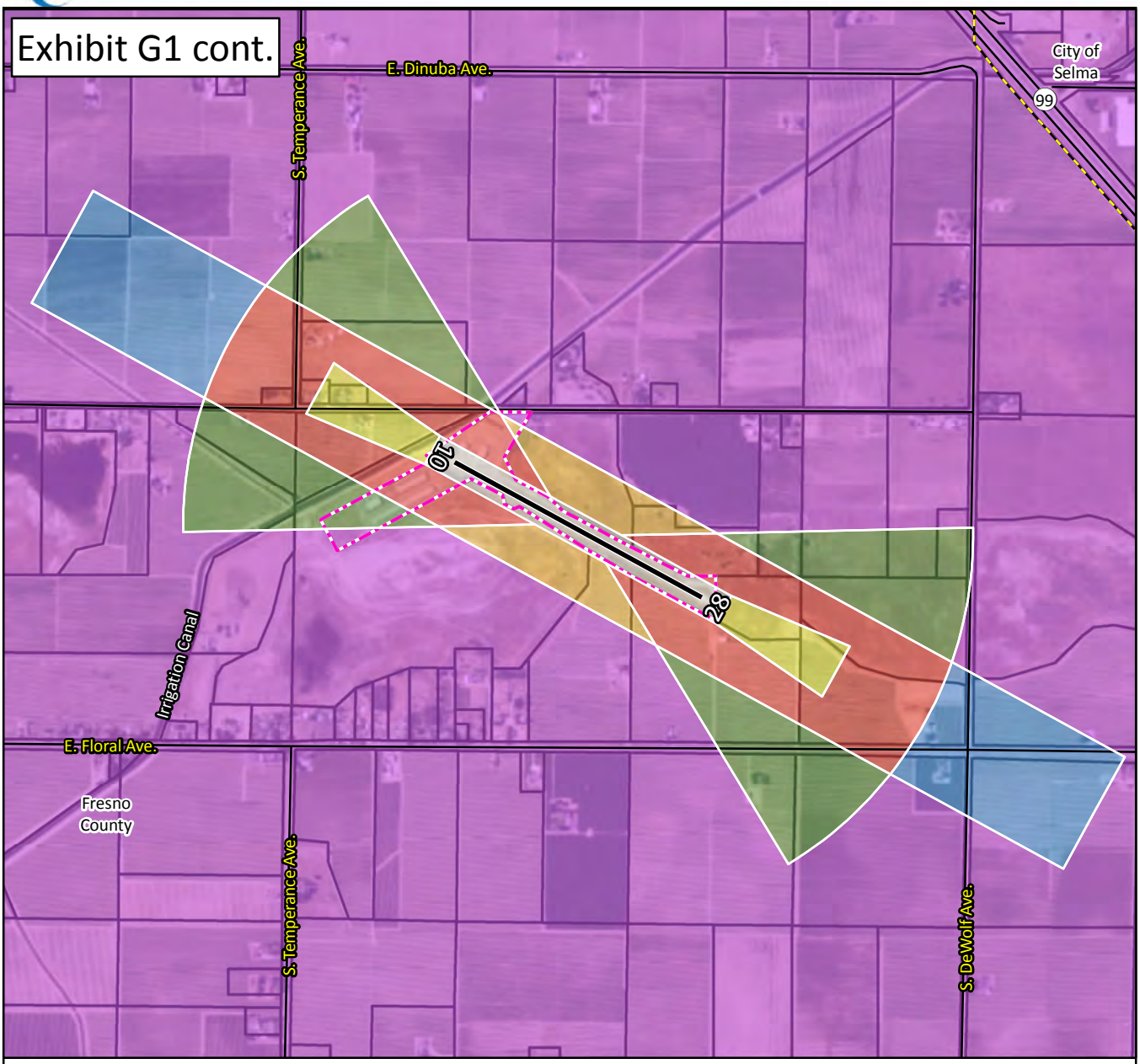
N

0 3,000 6,000

1" = 3,000'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit G1 cont.




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets

Safety Zones[3]

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

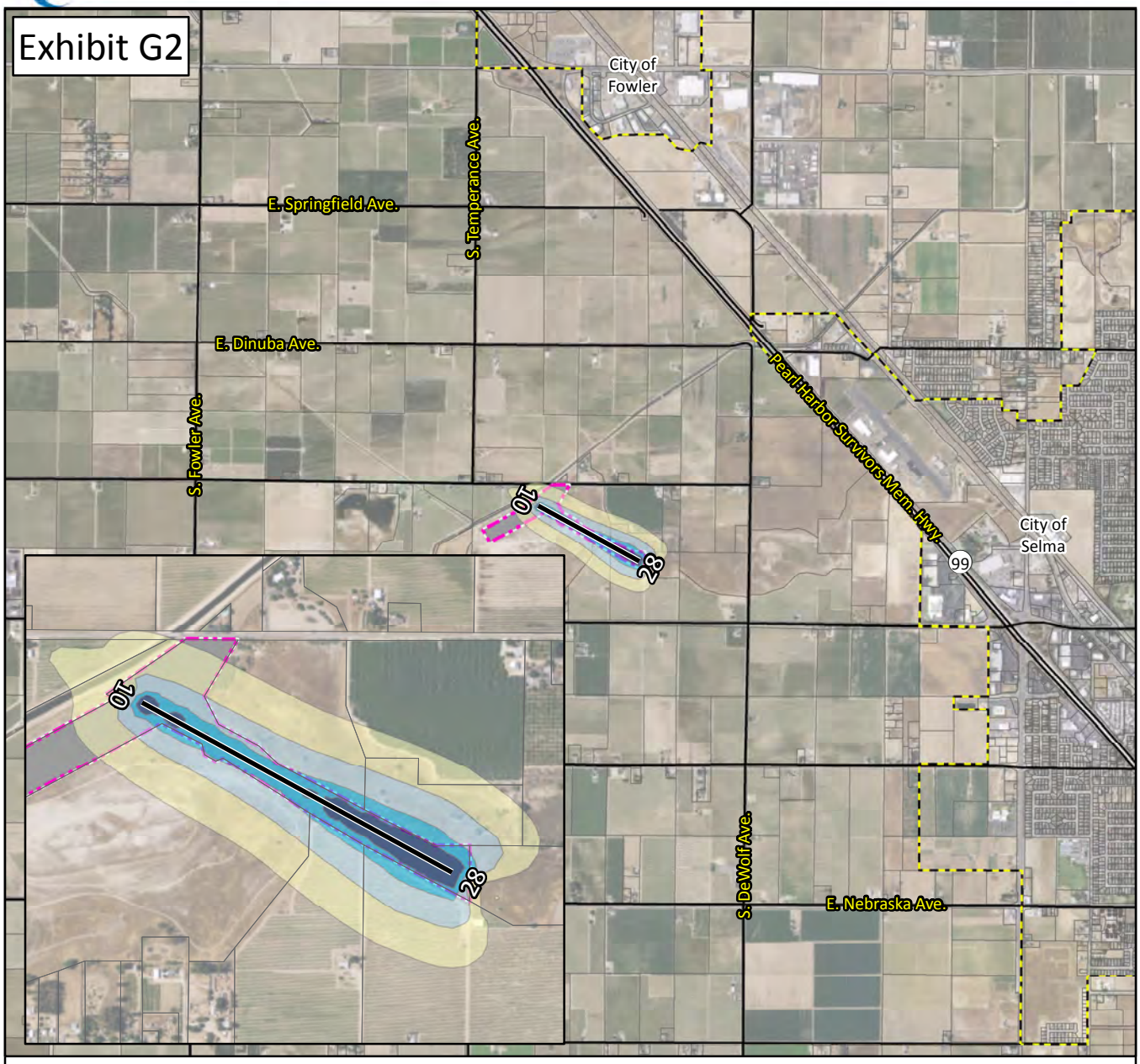
N

0 1,300 2,600

1" = 1,300'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit G2




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets

Future Noise Contours[3]

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

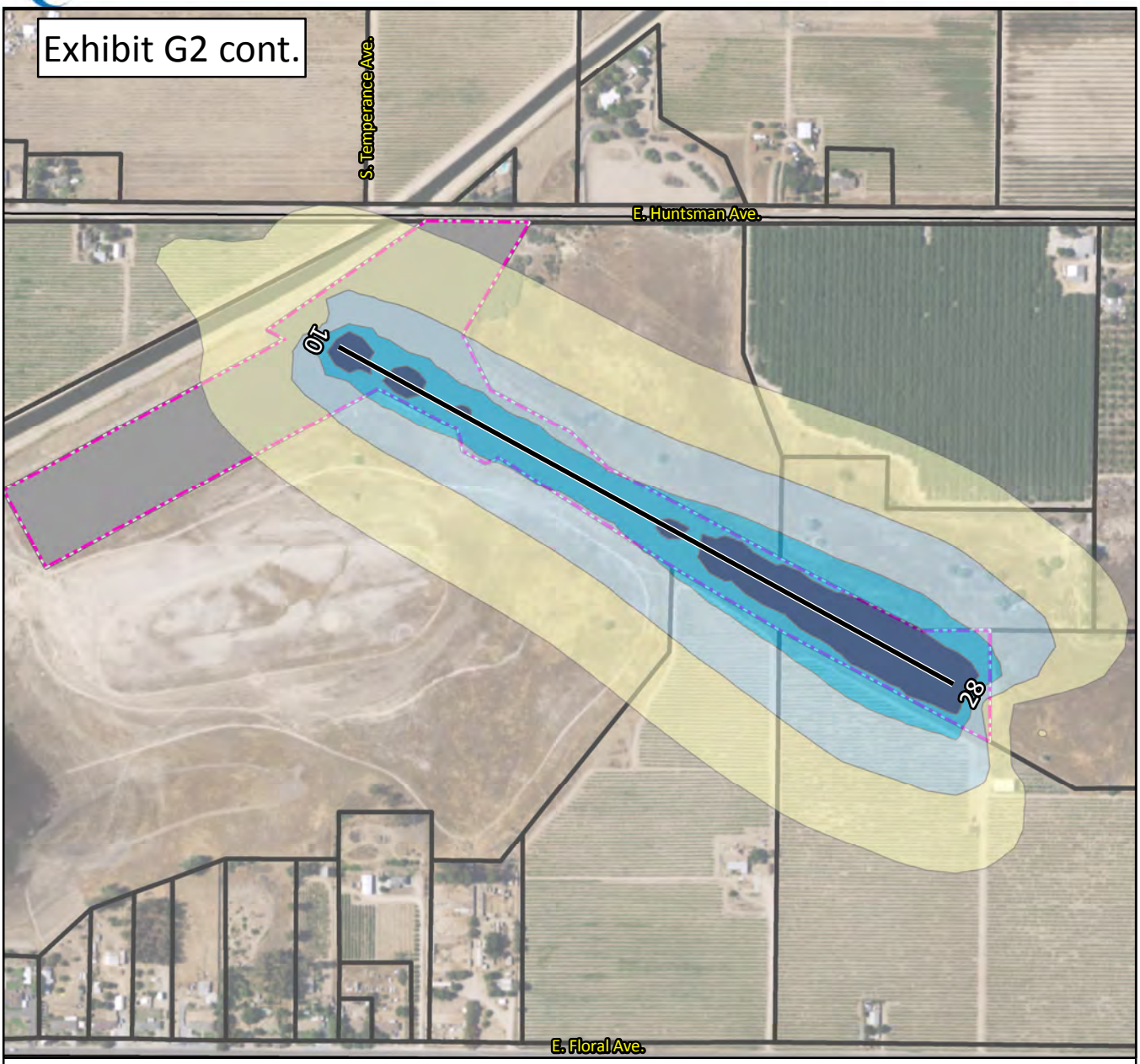
N

0 3,000 6,000

1" = 3,000'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]Community Noise Equivalent Level - Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit G2 cont.




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Streets

Future Noise Contours[3]

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

N

0 500 1,000

1" = 500'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]Community Noise Equivalent Level - Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

**Time-of-Day**

The time-of-day which aircraft operations occur is important as input to the AEDT due to the 10-decibel nighttime (10:00 p.m. to 7:00 a.m.) and 4.8-decibel evening (7:00 p.m. to 10:00 p.m.) weighting of flights.

Since the Airport is not equipped with an airport traffic control tower (ATCT), time-of-day information was estimated based upon Airport staff interviews and time-of-day activity levels at similar airports. Currently, most operations occur during the daytime hours, with an estimated one percent occurring during evening hours, and approximately one percent occurring during nighttime hours.

**Runway Use**

Runway usage data is also an essential component for developing noise exposure contours. Based on a review of regional airport activity and wind conditions, the following assumptions were made for runway use:

- Runway 10 – 20 percent
- Runway 28 – 80 percent

**Flight Tracks**

A review of local flight procedures was used to develop consolidated flight tracks for use in the AEDT. As discussed below, the traffic pattern for both runways is left hand. Accordingly, it is assumed that touch-and-go traffic occurs to the east and west of the airport.

**Flight Profiles**

The standard arrival profile used in the AEDT program is a three-degree approach. No indication was given by Airport staff that there was any variation on this standard procedure for civilian aircraft. Therefore, the standard approach was included in the model as representative of local operating conditions.

## *AIRSPACE AND OVERFLIGHT*

**Exhibit G3** depicts the Airspace Plan prepared as part of this study. This exhibit includes the 14 CFR Part 77 Conical Surface which is also the Airport Influence Area for Selma Airport.

## *AIRPORT INFORMATION*

### AIRPORT FACILITIES

Airport facilities are summarized in **Table G2** and **Exhibit G4** shows the Airport Diagram (August 2016).

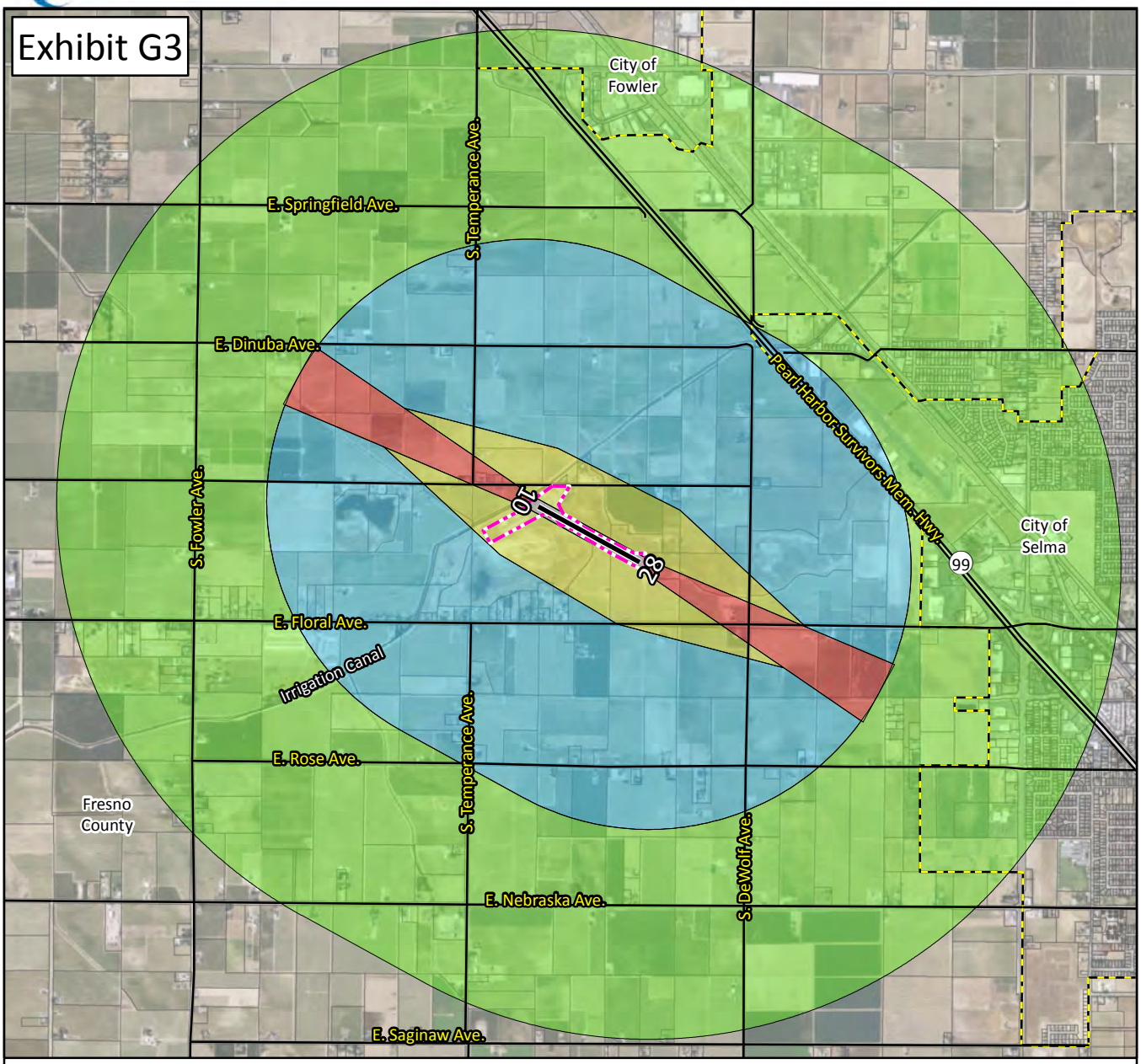
Selma Airport has one runway, Runway 10-28, which is 2,206 feet long and 50 feet wide. The runway is made of asphalt and is in fair condition. The traffic pattern for both runways ends is left-handed. Runway 10-28 has a single wheel load bearing strength of 12,000 pounds, which is the maximum aircraft weight it is designed for. The runway pavement markings are non-standard and in fair condition. The airport has non-standard low-intensity runway lighting. There are no visual or instrument approach aids for the airport.

**TABLE G2**
**Airport Facilities**
**Selma Airport**

| | Runway 10-28 |
|---|---|
| **RUNWAY(S)** | |
| Length (feet) | 2,206 |
| Width (feet) | 50 |
| Threshold Displacement (feet) | 0 |
| Runway Pavement Surface Material | Asphalt |
| Runway Pavement Surface Treatment | Not listed |
| Runway Pavement Condition | Fair |
| Traffic Pattern | Left \| Left |
| ***Runway Pavement Load Bearing Strength (lbs.)*** | |
| Single Wheel | 12,000 |
| Dual Wheel | N/A |
| Double Tandem | N/A |
| Double Dual Tandem | N/A |
| ***Runway Pavement Markings*** | |
| Type | Non-standard |
| Condition | Fair |
| ***Runway Lighting*** | |
| Runway Edge Lighting | LIRL |
| Approach Lighting System (ALS) | None |
| Touchdown Point | None |
| Runway End Identifier Lights (REILs) | None |
| **VISUAL APPROACH AIDS** | |
| Type | None |
| Glide Path | None |
| **INSTRUMENT APPROACH AIDS** | |
| Instrument Landing System (ILS) | No |
| Global Positioning System (GPS) | No |
| VOR/DME | No |

LIRL: Low Intensity Runway Lights
N/A: Not Applicable
VOR/DME: Very High Frequency Omnidirectional Range Distance Measuring Equipment
**Source:** AirNav (July 2017)

# Exhibit G3




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets

Part 77 Surfaces[3]

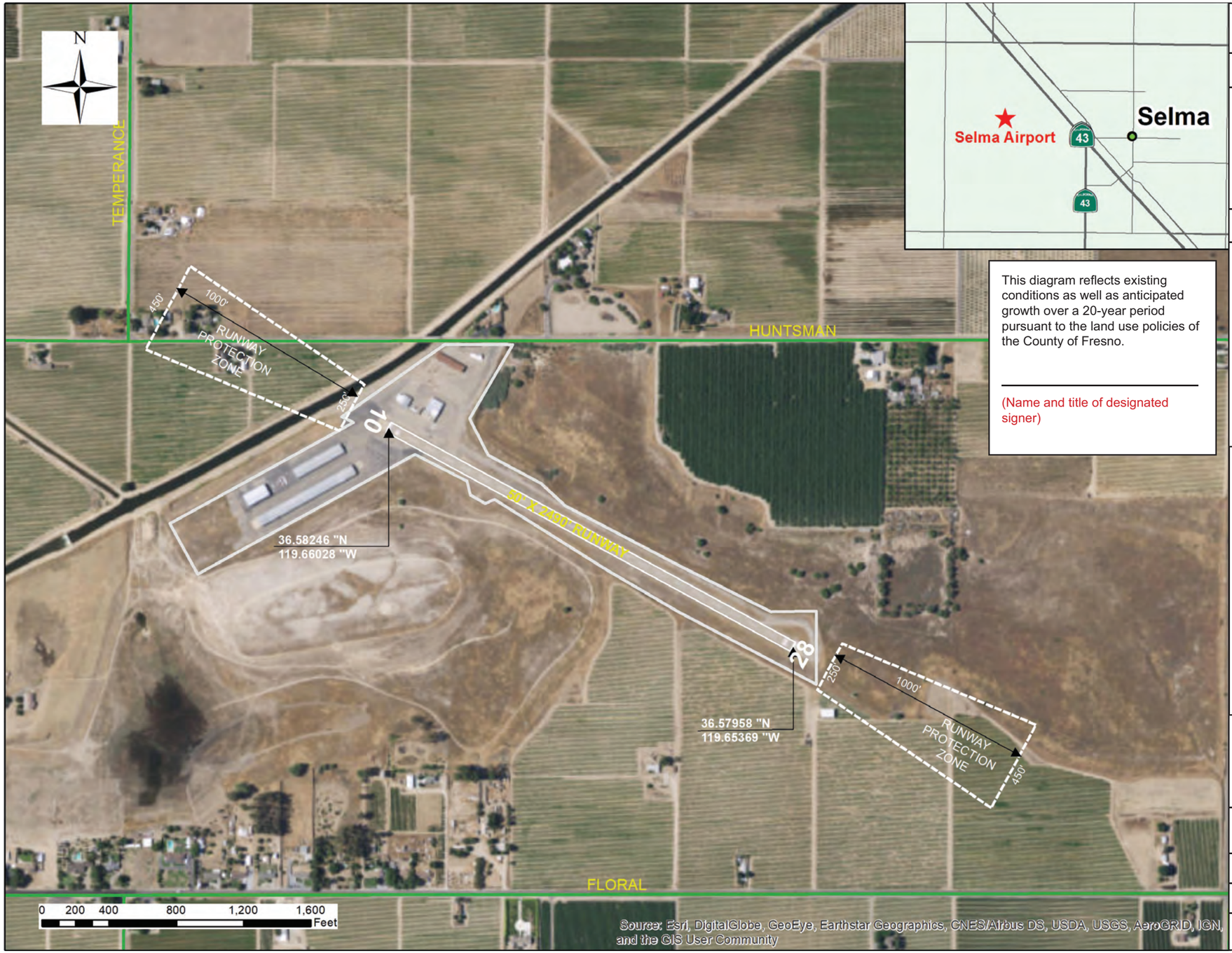
- Primary Surface
- Approach Surface
- Transitional Surface
- Horizontal Surface
- Conical Surface

N

0 3,000 6,000

1" = 3,000'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]14 CFR, Subchapter E, Part 77, §77.25.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).







This diagram reflects existing conditions as well as anticipated growth over a 20-year period pursuant to the land use policies of the County of Fresno.

(Name and title of designated signer)

| No. | REVISION | BY | DATE |
|---|---|---|---|
| | | | |

Fresno County Airport Land Use Commission

Staffed by the Fresno Council of Governments

2035 Tulare Street, Suite 201
Fresno, CA 93721
(559) 233-4149
Fax (559)233-9645

# SELMA AERODOME
IN
SELMA, CALIFORNIA
# AIRPORT DIAGRAM

Reviewed by:

(Initials of Designated Signer)

Drawn by: Fresno Council of Governments

Project Number:

Date: November 17, 2017

Sheet 1 of 1

### FUTURE AIRPORT PLANS

There are currently no changes proposed for the Airport during the planning horizon of this ALUCP.

## *AIRPORT ENVIRONS*

### EXISTING LAND USES

Existing land uses in the AIA are shown on **Exhibit G5**.

The Airport is surrounded predominantly by single family residential uses and agricultural fields. Many areas of the AIA are also considered open space. East of Pearl Harbor Survivors Memorial Highway and within the City limits of Selma, there are industrial, commercial, and single and multi-family residential uses. North of the Airport is the City of Fowler, which consists of primarily industrial uses, as well as some commercial and public uses. The area in between the Cities of Fowler and Selma, as well as the entire area west of Pearl Harbor Survivors Memorial Highway, is part of unincorporated Fresno County.

### ZONING

**Exhibit G6** shows zoning designations in the AIA. Almost the entirety of the AIA that is in unincorporated Fresno County is zoned for agriculture. There are several parcels in the northeast corner that are zoned for industrial, south of the City of Fowler. The City of Fowler is zoned for commercial and industrial uses, whereas the City of Selma, east of the Airport, is zoned for open space, commercial, industrial, and single and multi-family residential.

### GENERAL PLAN

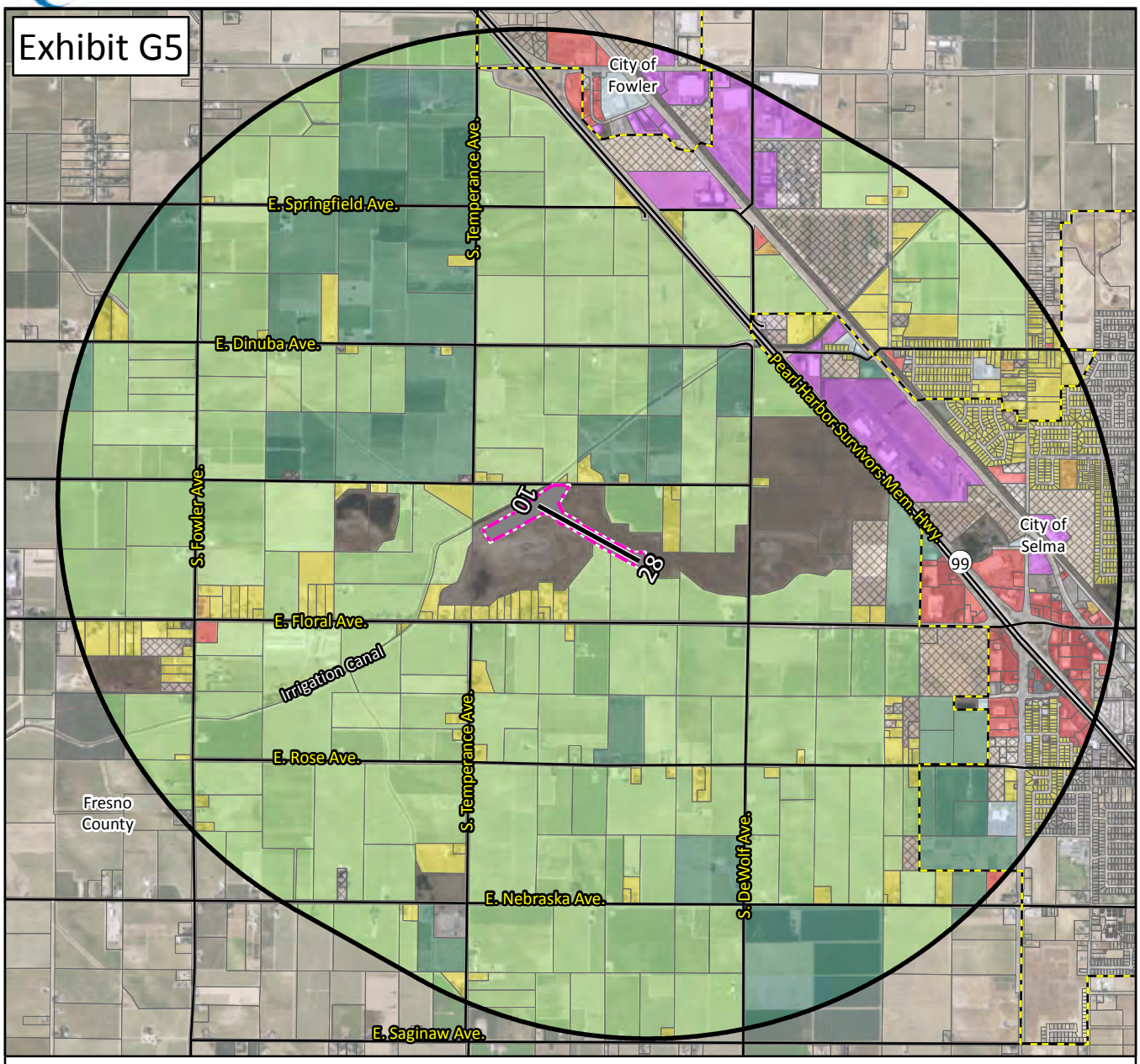
General plan land uses are illustrated on **Exhibit G7**.

The areas immediately surrounding the Airport are planned for industrial uses. North of the Airport, and still in unincorporated Fresno County, the area is planned for primarily office use, with some parcels planned for commercial uses. To the east of the Airport, parcels are planned for office and open space. East of Pearl Harbor Survivors Memorial Highway, within the City of Selma, uses are planned for industrial, office, commercial, open space, and single and multi-family residential uses in the future. Land within the City of Fowler is planned for commercial, industrial, and office uses. West of the Airport, which is in unincorporated Fresno County, the area is predominantly planned for agriculture use, with areas immediately adjacent to the Airport planned for industrial uses.

## *COMPATIBILITY FACTORS*

**Exhibit G8** is a compatibility factors map, which compiles National Transportation Safety Board flight accident data for all airports in the United States, noise exposure contours, and arrival and departure flight tracks from the noise exposure contours. The purpose of this exhibit is to illustrate the methodology behind the shape and size of the safety, noise, and airspace compatibility zones.

# Exhibit G5




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[3]

Existing Land Use[4]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Public
- Open Space
- Agricultural
- Transportation/Right-of-Way
- Vacant
- No Data

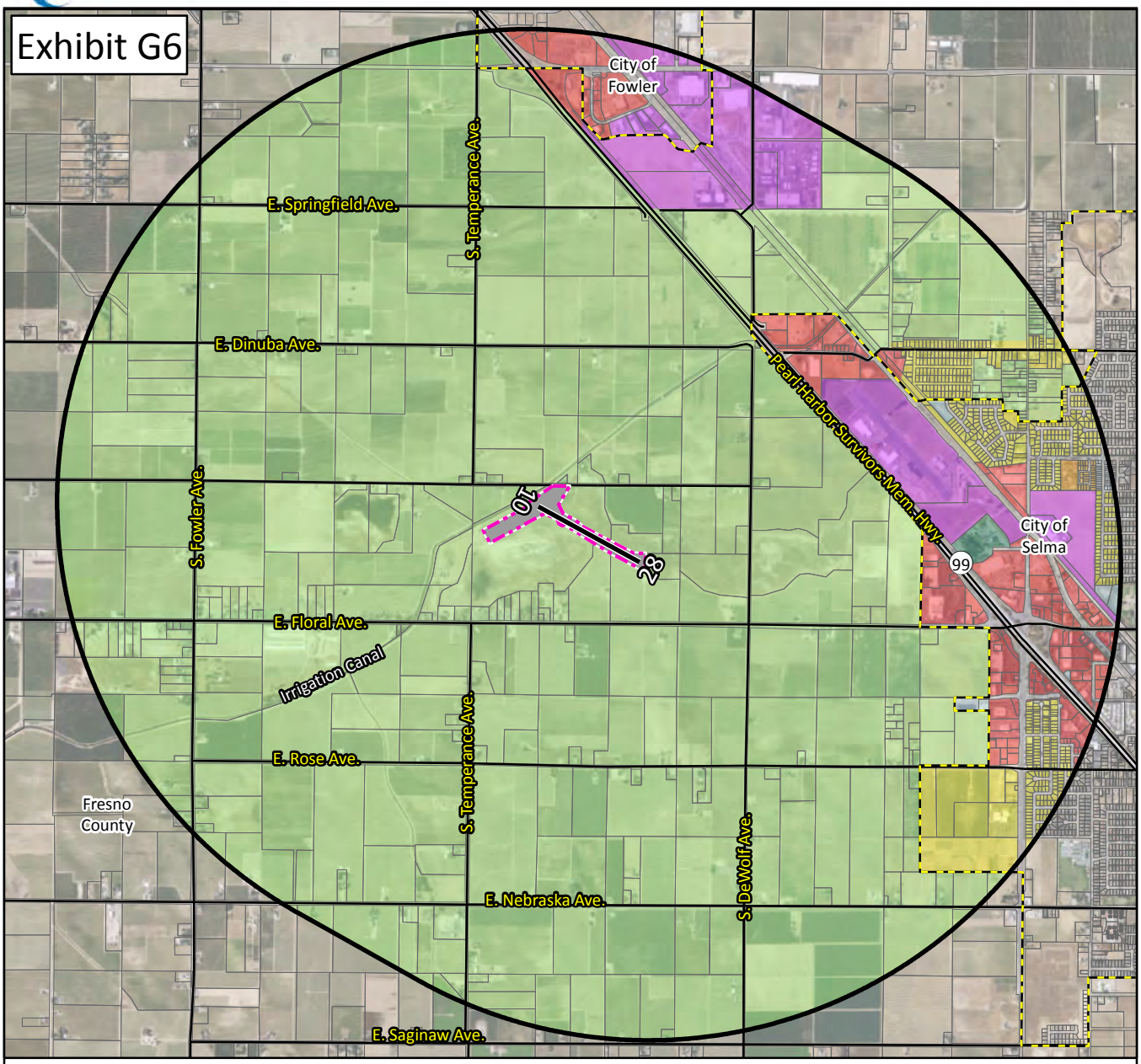
N

0 3,000 6,000

1" = 3,000'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno Council of Governments.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit G6




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[4]

Zoning[4]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Public
- Open Space
- Agriculture
- No Data

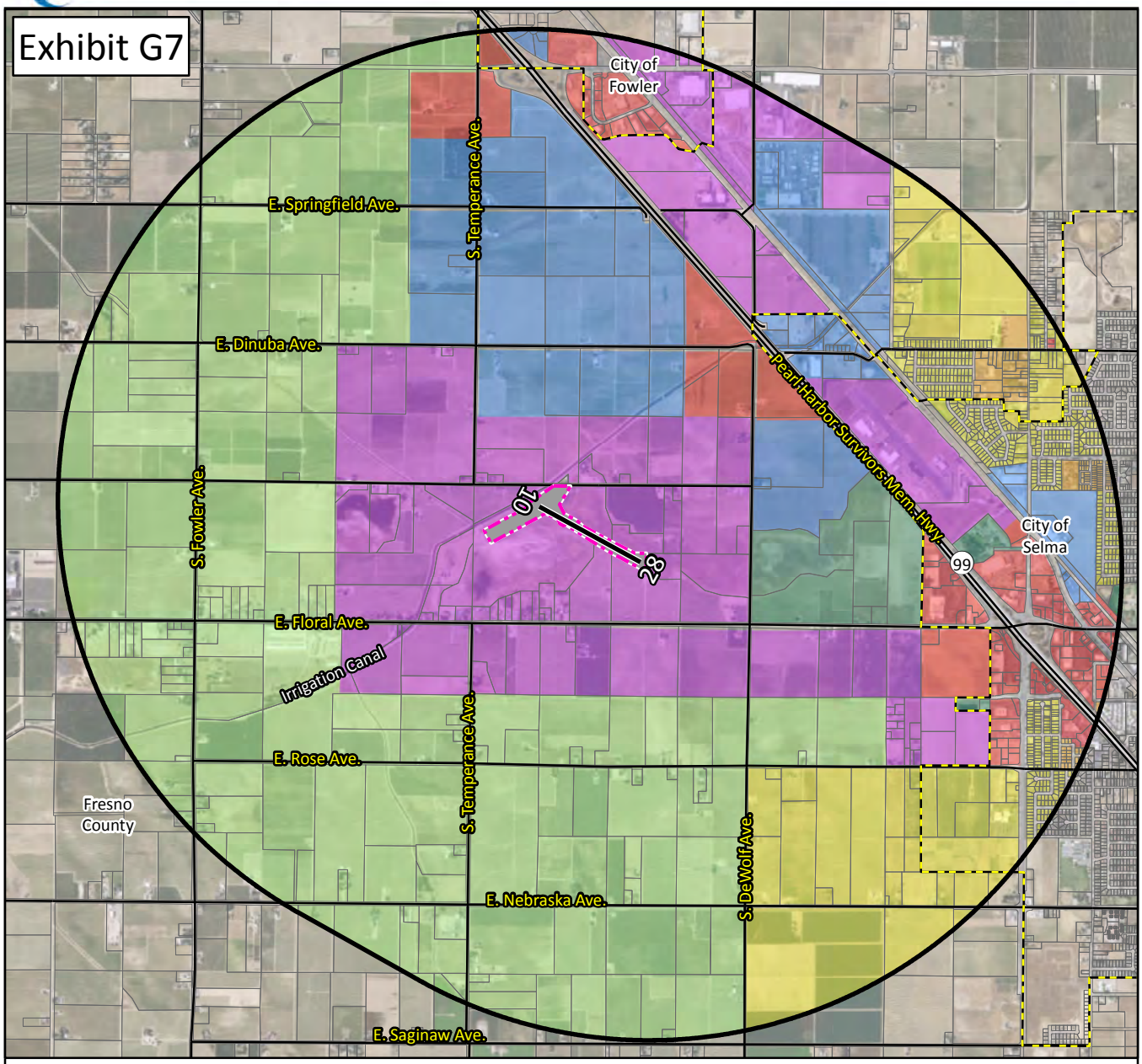
N

0 3,000 6,000

1" = 3,000'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno County Zoning, City of Fowler Zoning, City of Selma Zoning.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit G7




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)[4]

General Plan[4]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Office
- Industrial
- Open Space
- Agriculture
- Transportation/Right-of-Way

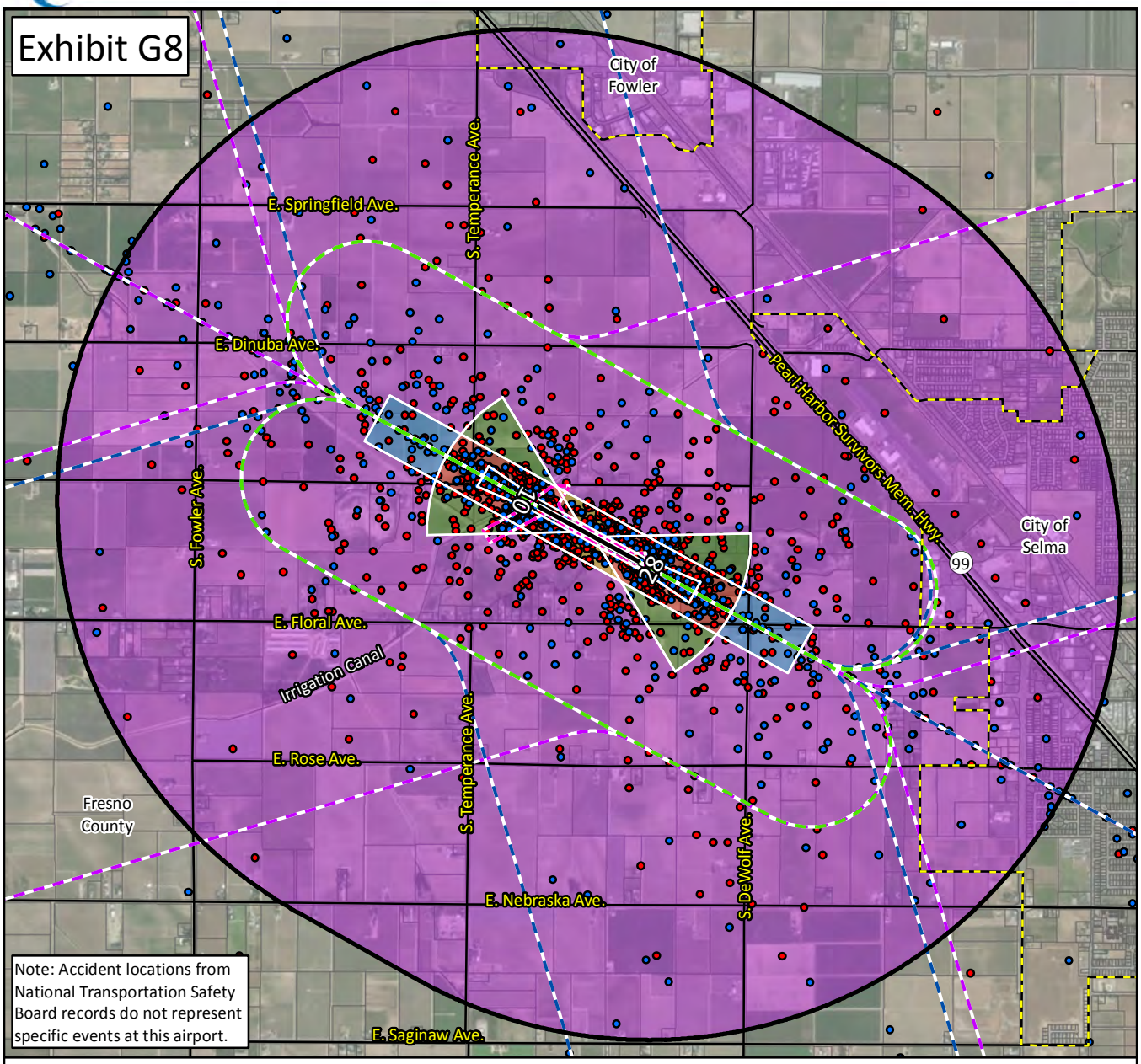
N

0 3,000 6,000

1" = 3,000'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno County General Plan
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit G8




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets
- Arrival Accidents[3]
- Departure Accidents[3]

Flight Tracks[4]

- Approach
- Departure
- Touch And Go
- Airport Influence Area (AIA)[5]

Safety Zones[6]

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

N

0 3,000 6,000

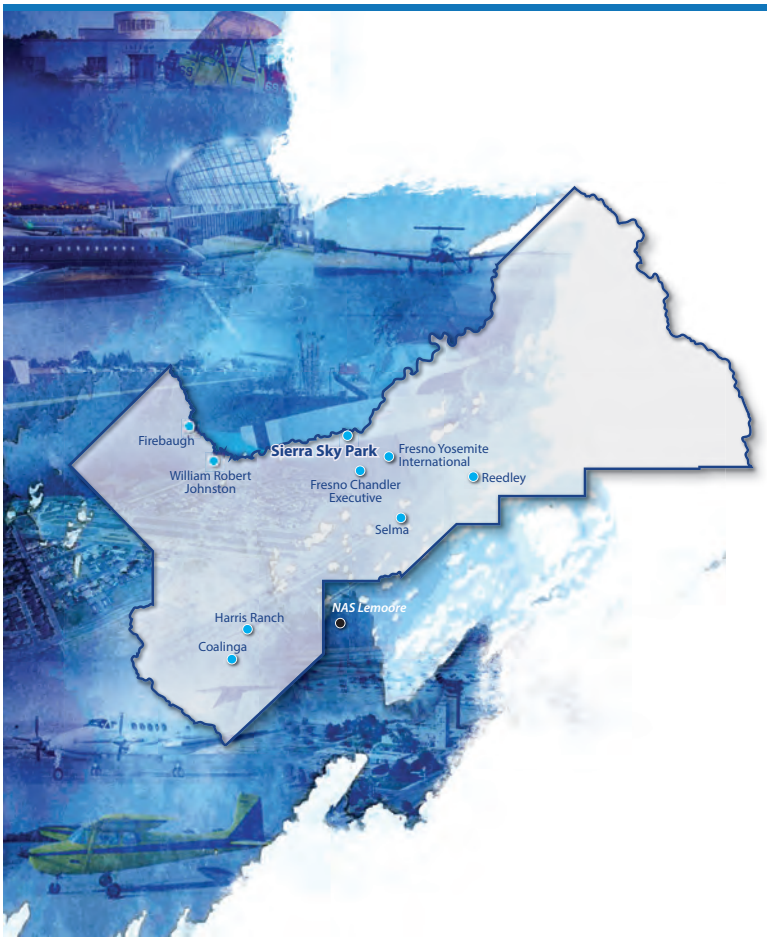
1" = 3,000'

[1]Runway digitized from ESRI Basemap Imagery (2016).
[2]APN: 34818043
[3]California Airport Land Use Planning Handbook, 2011. Normalized from airports in United States.
[4]Coffman Associates analysis.
[5]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[6]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

Fresno Council
of Governments

# Appendix H

# SIERRA SKY PARK AIRPORT



# Appendix H: Sierra Sky Park Airport

Appendix H provides an overview of Sierra Sky Park Airport's (Airport) setting, airport influence area (AIA), safety zones, noise, and airspace and overflight areas. This Appendix will also discuss existing and planned land uses, as well as current and future Airport facilities.

Sierra Sky Park Airport is privately owned by Herndon-Doolittle Association, Inc., but available for public use. The Airport is not classified in the 2017 – 2021 *National Plan of Integrated Airport Systems*; however, it is considered a community facility in the 2013 *California Aviation System Plan.* Sierra Sky Park is an airpark and is therefore embedded within a residential community that supports and maintains the facility. The Airport covers 34 acres of land and is at an elevation of 321 feet.

## *SAFETY ZONES*

The Airport Influence Area (AIA) and Safety Zones for Sierra Sky Park Airport are shown on **Exhibit H1**. Figure 3A of the California Airport Land Use Planning Handbook (Handbook) provides three example zones for general aviation airports, which are differentiated by runway length. The Handbook zone examples are provided as a starting point for developing safety zones specific to an airport. As discussed below, Sierra Sky Park Airport has one runway, Runway 12-30, which is 2,473 feet long. The California Department of Transportation, Division of Aeronautics-approved airport diagram does not include any changes to the runway length. Therefore, the Safety Zones are based on the Short General Aviation Runway example. For this plan, the outermost zone in the Handbook examples was replaced by the 14 CFR Part 77 Conical Surface, which also represents the airspace and overflight review area boundaries. Additional information regarding the safety compatibility zones can be found in **Appendix M**.

## *NOISE*

The standard methodology for analyzing noise conditions at airports involves the use of a computer simulation model. The Airport Environmental Design Tool Version 2c (AEDT) is accepted by the State of California and required by the FAA for developing noise exposure contours. This is the model used to develop the noise exposure contours for this Airport Land Use Compatibility Plan (ALUCP). The following sections describe the noise modeling inputs for the Sierra Sky Park Airport noise exposure contours shown on **Exhibit H2**. Additional information regarding the noise modeling process and land use compatibility thresholds can be found in **Appendix M**.

### AIRCRAFT OPERATIONS AND FLEET MIX

As outlined in Public Utilities Code (PUC) Section 21675(a), the noise contours included in an ALUCP must reflect the anticipated growth of the airport during at least the next 20 years. **Table H1** summarizes the 2037 operations for the Airport using the Model for Estimating General Aviation Operations at Non-Towered Airports (GRA, Inc. 2001) and also includes the aircraft types used in the noise model. Airfield observations and based aircraft lists were used to determine the types of aircraft which frequently use the Airport. To accurately represent the noise conditions at the Airport, the AEDT provides aircraft noise data for many of the aircraft operating in the national fleet.

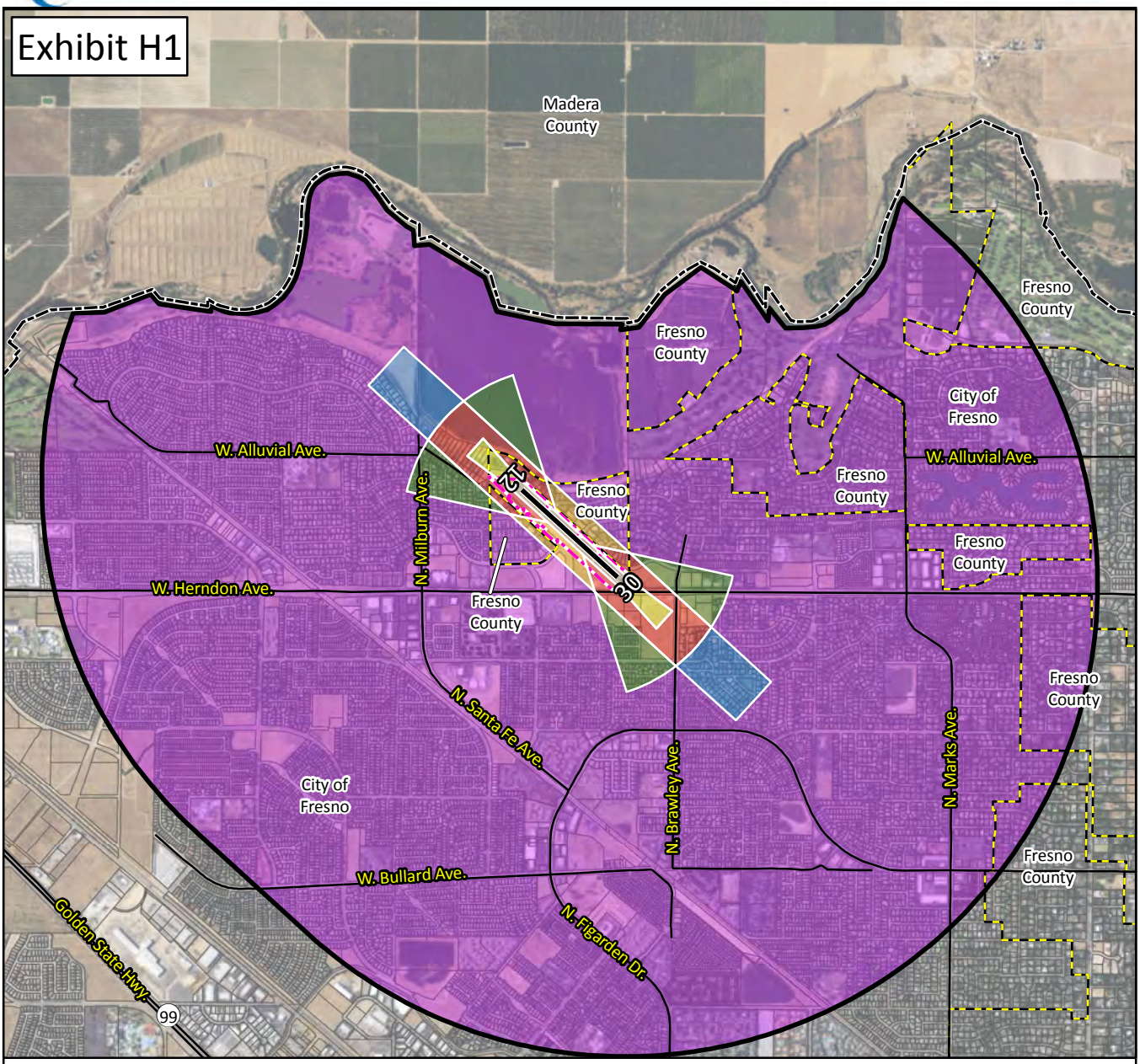
The selection of individual aircraft types is important to the modeling process because different aircraft types generate different noise levels. The aircraft fleet mix for Sierra Sky Park Airport was derived from an interview with the Airport manager and based aircraft list. **Table H1** summarizes the generalized fleet mix data input into the noise analysis.

**TABLE H1**
**Sierra Sky Park Airport**
**Aircraft Fleet Mix and Operations**

| Operations | AEDT Designator | 2017 | 2037[2] |
|---|---|---|---|
| **Itinerant** | | | |
| Single Engine, Fixed | GASEPF | 5,684 | 6,100 |
| Single Engine, Variable | GASEPV | 5,684 | 6,100 |
| Twin Engine | BEC58P | 231 | 248 |
| Subtotal | | 11,599 | 12,448 |
| **Local** | | | |
| Single Engine, Fixed | GASEPF | 1,361 | 1,461 |
| Single Engine, Variable | GASEPV | 1,361 | 1,461 |
| Twin Engine | BEC58P | 28 | 30 |
| Subtotal | | 2,751 | 2,952 |
| Grand Total | | 14,350 | 15,400 |

Source:
[1] FAA 5010 Airport Master Record, operations for 12 months ending June 14, 2016
[2] Model for Estimating General Aviation Operations at Non-Towered Airports (GRA, Inc. 2001)

# Exhibit H1




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

Safety Zones[3]

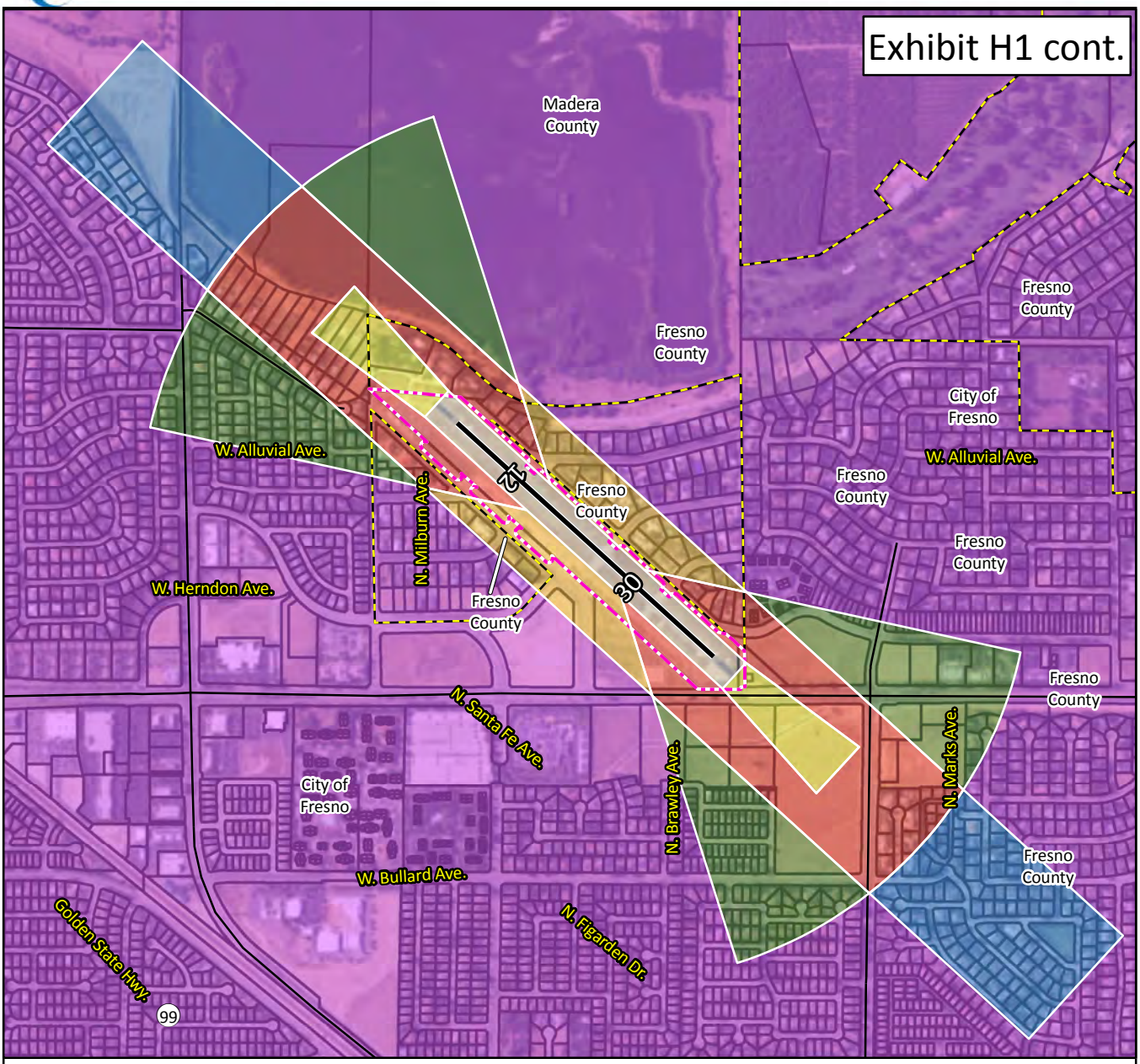
1. Runway Protection Zone
2. Inner Approach/Departure Zone
3. Inner Turning Zone
4. Outer Approach/Departure Zone
5. Sideline Zone
6. Traffic Pattern Zone

N

0 3,000 6,000

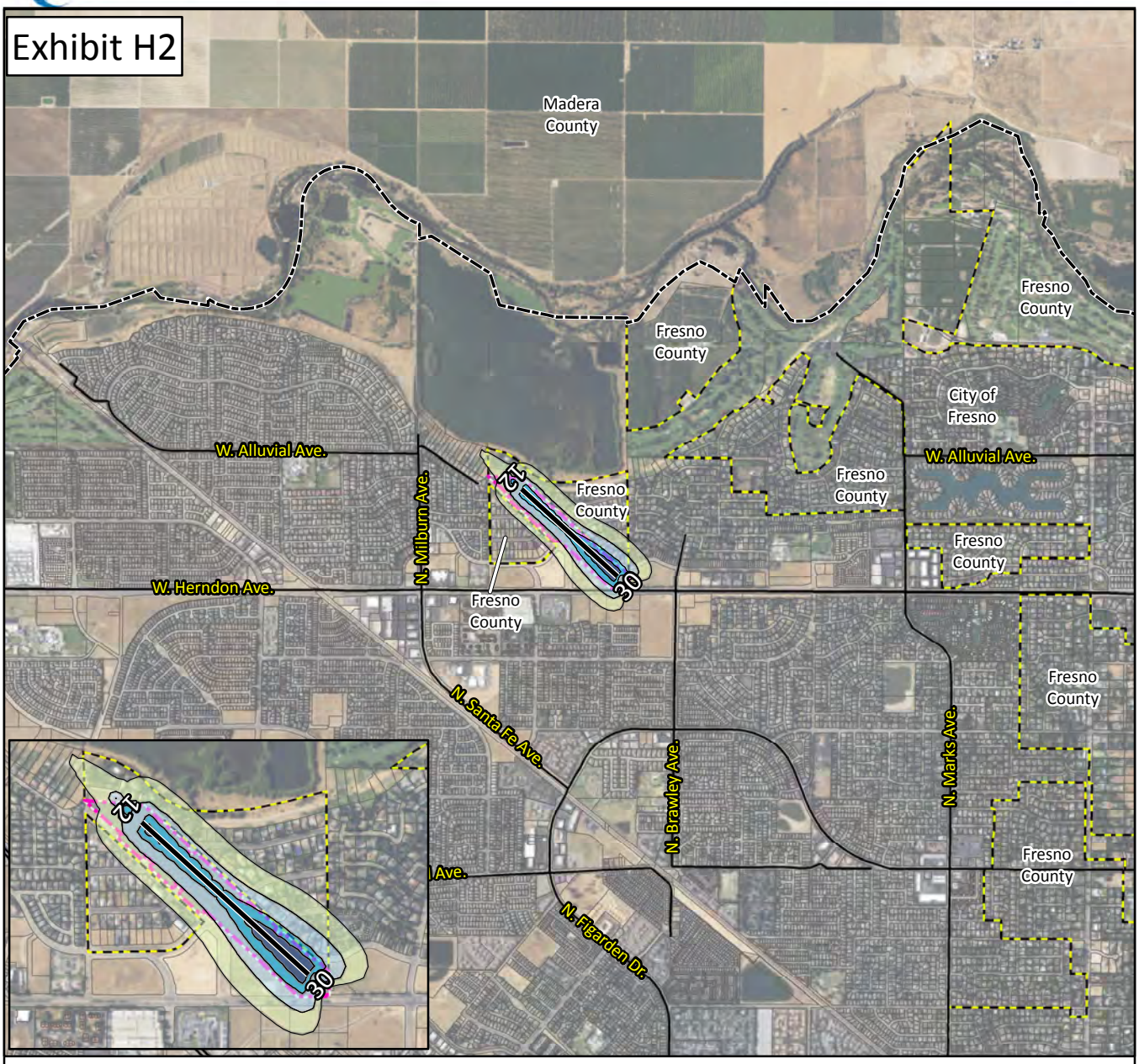
1" = 3,000'

[1]FAA 5010 Master Record
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis. Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).




[1]FAA 5010 Master Record
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit H2




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets

Future Noise Contours

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

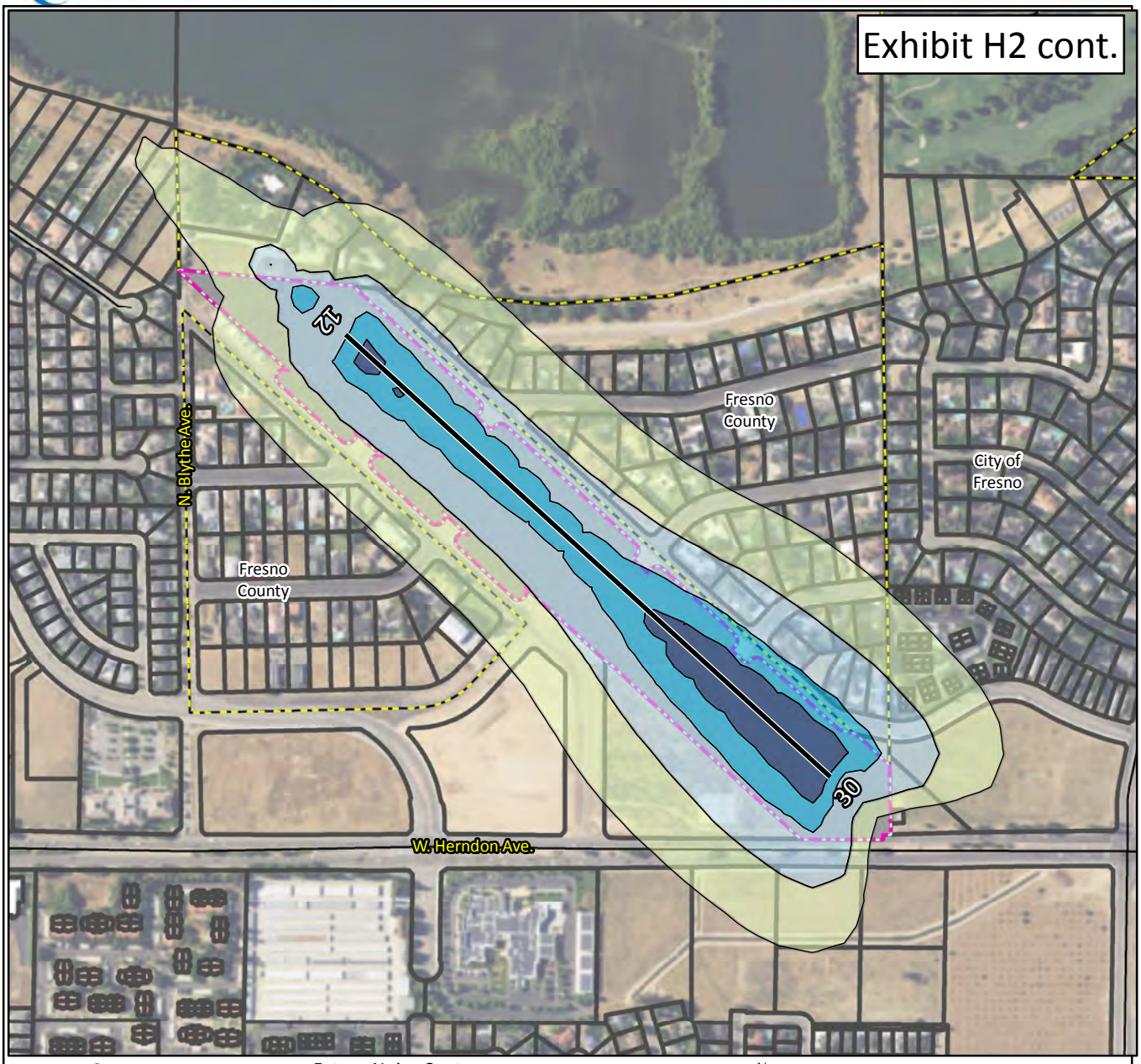
N

0 3,000 6,000

1" = 3,000'

[1]FAA 5010 Master Record.
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]Community Noise Equivalent Level - Coffman Associates analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit H2 cont.




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets

Future Noise Contours

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

N

0 600 1,200

1" = 600'

[1]FAA 5010 Master Record.
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]Community Noise Equivalent Level - Coffman Associates analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

A variety of general aviation, single engine fixed-propeller aircraft are modeled with the GASEPV and GASEPF aircraft in the AEDT. The GASEPV represents many single engine general aviation aircraft including the Mooney M-20, Cessna 172 and 180, Piper Cherokee Arrow, and the Air Tractor AT-502 and AT-802. The general aviation, single engine fixed-pitch propeller model, the GASEPF, also represents several single engine general aviation aircraft. These include the Cessna 150, Piper Archer, and the Piper Tomahawk.

The Beech Baron (BEC58P) represents light twin-engine aircraft, such as Beech 50, Beech 55, Piper PA-23, PA-30, PA-34, Cessna 304, Cessna 310, and Cessna 401.

**Time-of-Day**

The time-of-day which aircraft operations occur is important as input to the AEDT due to the 10-decibel nighttime (10:00 p.m. to 7:00 a.m.) and 4.8-decibel evening (7:00 p.m. to 10:00 p.m.) weighting of flights.

Since the Airport is not equipped with an airport traffic control tower (ATCT), time-of-day information was estimated based upon Airport staff interviews and time-of-day activity levels at similar airports. Currently, most operations occur during the daytime hours, with an estimated one percent occurring during evening hours, and approximately one percent occurring during nighttime hours.

**Runway Use**

Runway usage data is also an essential component for developing noise exposure contours. Based on a review of regional airport activity and wind conditions, the following assumptions were made for runway use:

- Runway 12 – 20 percent
- Runway 30 – 80 percent

**Flight Tracks**

A review of local flight procedures was used to develop consolidated flight tracks for use in the AEDT. As discussed below, the traffic pattern for Runway 12 is right hand and the traffic pattern for Runway 30 is left hand. Accordingly, it is assumed that touch-and-go traffic occurs to the south and west of the airport.

**Flight Profiles**

The standard arrival profile used in the AEDT program is a three-degree approach. No indication was given by Airport staff that there was any variation on this standard procedure for civilian aircraft. Therefore, the standard approach was included in the model as representative of local operating conditions.

## *AIRSPACE AND OVERFLIGHT*

**Exhibit H3** depicts the Airspace Plan from the prepared as part of this study. This exhibit includes the 14 CFR Part 77 Conical Surface which is also the AIA for Sierra Sky Park Airport.

## *AIRPORT INFORMATION*

### AIRPORT FACILITIES

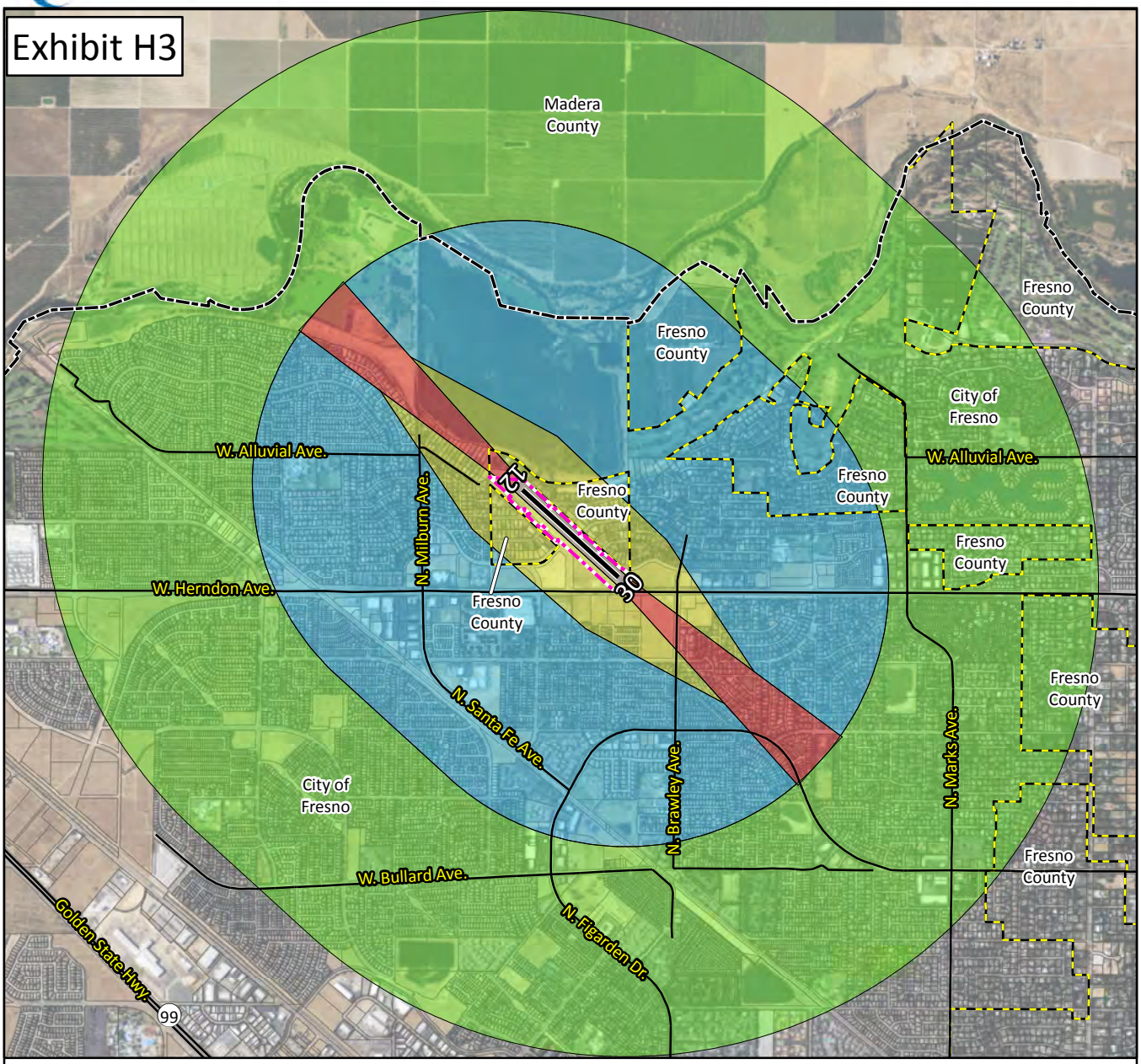
Airport facilities are summarized in **Table H2** and **Exhibit H4** shows the Airport Diagram (June 2017).

**TABLE H2**
**Airport Facilities**
**Sierra Sky Park Airport**

| | Runway 12-30 |
|---|---|
| **RUNWAY(S)** | |
| Length (feet) | 2,473 |
| Width (feet) | 50 |
| Threshold Displacement (feet) | 90 \| 90 |
| Runway Pavement Surface Material | Asphalt |
| Runway Pavement Surface Treatment | None |
| Runway Pavement Condition | Good |
| Traffic Pattern | Left \| Right |
| ***Runway Pavement Load Bearing Strength (lbs.)*** | |
| Single Wheel | Not listed |
| Dual Wheel | Not listed |
| Double Tandem | Not listed |
| Double Dual Tandem | Not listed |
| ***Runway Pavement Markings*** | |
| Type | Basic |
| Condition | Good |
| ***Runway Lighting*** | |
| Runway Edge Lighting | LIRL |
| Approach Lighting System (ALS) | None |
| Touchdown Point | None |
| Runway End Identifier Lights (REILs) | No |
| **VISUAL APPROACH AIDS** | |
| Type | None \| 2-Light PAPI on left |
| Glide Path | N/A \| 3.00 degrees |
| **INSTRUMENT APPROACH AIDS** | |
| Instrument Landing System (ILS) | No |
| Global Positioning System (GPS) | No |
| VOR/DME | No |

N/A: Not Applicable
LIRL: Low Intensity Runway Lights
PAPI: Precision Approach Path Indicator
VOR/DME: Very High Frequency Omnidirectional Range Distance Measuring Equipment
**Source:** AirNav (July 2017)

# Exhibit H3




LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets

Part 77 Surfaces[3]

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

N

0 3,000 6,000

1" = 3,000'

[1]FAA 5010 Master Record.
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]14 CFR, Subchapter E, Part 77, §77.25.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).


This diagram reflects existing conditions ~~as well as anticipated growth over a 20 year period~~ pursuant to the land use policies of the County of Fresno.

*James Shekoyan*
*Sierra Sky Park Property Owner*
*11/28/18*




| No. | REVISION | BY | DATE |
|---|---|---|---|
| | | | |

Fresno County Airport Land Use Commission
Staffed by the Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
(559) 233-4149
Fax (559)233-9645

# SIERRA SKY PARK AIRPORT
IN
FRESNO, CALIFORNIA
# AIRPORT DIAGRAM

Drawn by: Fresno Council of Governments

Project Number:

Date: October 30, 2018

Sheet 1 of 1

Sierra Sky Park airport has one runway, Runway 12-30, which is 2,473 feet long and 50 feet wide. The runway is constructed of asphalt and in good condition. Runway 12 has a left-handed traffic pattern and Runway 30 has a non-standard, right-handed traffic pattern. The runway has basic markings that are in good condition. There are low-intensity runway lights. Runway 30 has a two-light precision approach path indicator (PAPI) on the left; however, there are no instrument approach aids.

### FUTURE AIRPORT PLANS

There are currently no changes proposed for the Airport during the planning horizon this plan covers.

## *AIRPORT ENVIRONS*

### EXISTING LAND USES

**Exhibit H5** illustrates existing land uses in the AIA. Note that the AIA for the purposes of this ALUCP only include the area within Fresno County.

Adjacent land to the north, east, and northwest of the Airport are part of unincorporated Fresno County, whereas land immediately to the southwest and south are part of the City of Fresno. The areas around the Airport within Fresno County are predominantly single family residential, with select parcels for commercial and industrial land use. North of the Airport, where there is no land use data, are bluffs, bounded by the Airport to the south and the San Joaquin River to the north. In the northeastern and eastern parts of the AIA, there are several parcels that are part of unincorporated Fresno County; however, most of the AIA is within the City limits of Fresno, which is primarily single family residential. Other uses in the AIA include commercial, open space, multi-family residential, and public. The primary roadway to access the Airport is off of West Herndon Avenue.

### ZONING

**Exhibit H6** shows zoning in the AIA.

To the north, east, and northwest of the Airport property are zoned for single family residential. West of the Airport, the areas are zoned primarily for commercial. South of Runway 30 is zoned for open space. Most of the northern areas of the AIA are zoned for open space and agriculture uses, with single family residential zoned in the eastern, western, and southern portion of the AIA. There are zones for commercial, industrial, open space, multi-family residential, and public throughout the AIA; however, the predominant zoning is for single family residential.

**GENERAL PLAN**

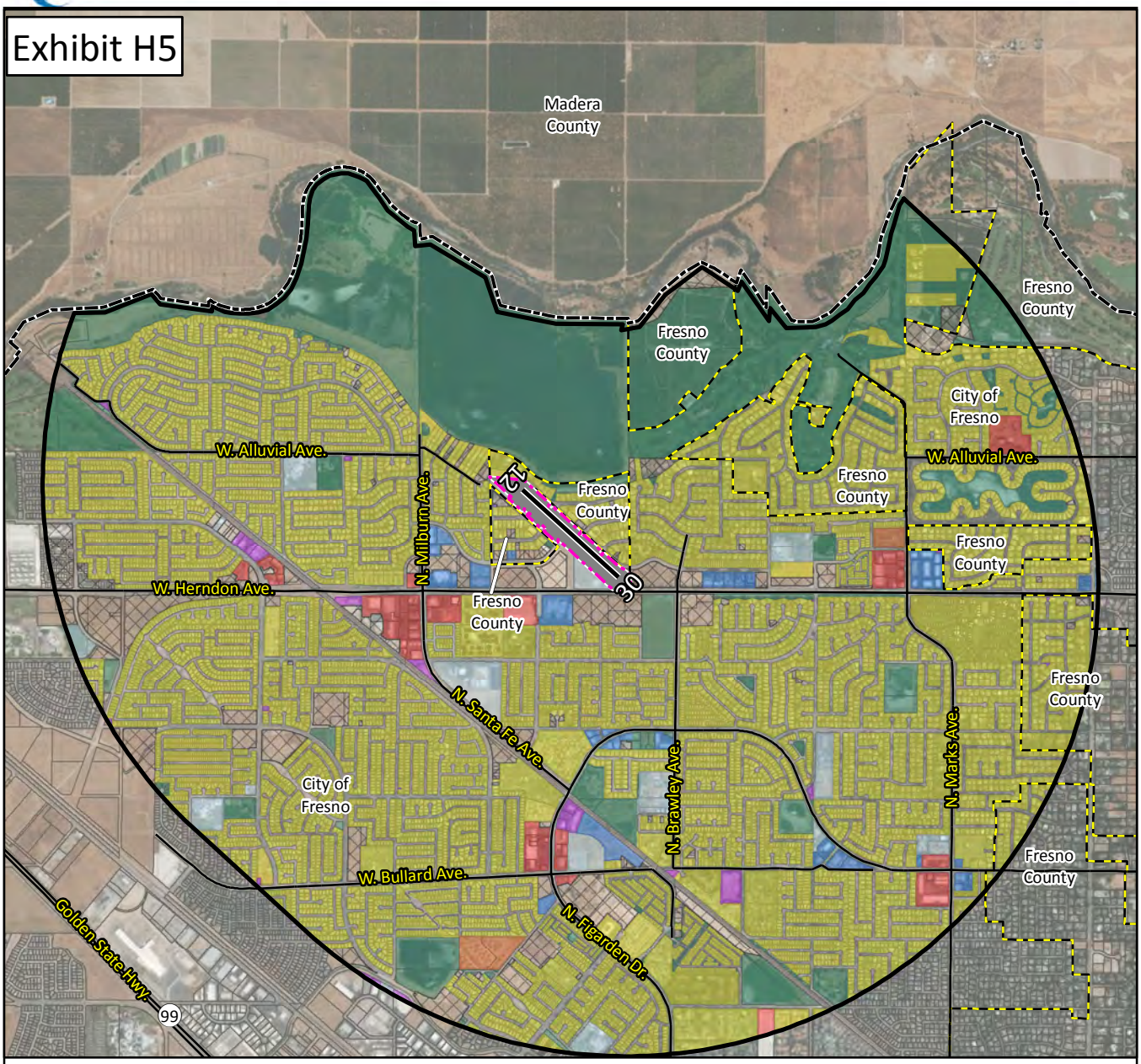
General plan land uses in the AIA are shown on **Exhibit H7**.

Areas to the northwest and east of the Airport area planned for single family residential. To the west and southwest, uses are planned for public and commercial uses. The area south of Runway 30 is planned for open space and office, and areas to the southeast are planned for commercial and mixed use, which contains a combination of commercial and residential uses. North of Runway 12 is planned for mostly open space, but some parcels are planned for mixed use as well. Unlike the existing land uses and zoning exhibits, the general plan map shows that much of the AIA is planned for mixed use in the future versus mostly residential. Much of the eastern area of the AIA is still planned for single family residential and northern portions are to remain as open space.

## *COMPATIBILITY FACTORS*

**Exhibit H8** is a compatibility factors map, which compiles National Transportation Safety Board flight accident data for all airports in the United States, noise exposure contours, and arrival and departure flight tracks from the noise exposure contours. The purpose of this exhibit is to illustrate the methodology behind the shape and size of the safety, noise, and airspace compatibility zones.

# Exhibit H5




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

Existing Land Use[4]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Public
- Agricultural
- Open Space
- Transportation/Right-of-Way
- Vacant
- No Data

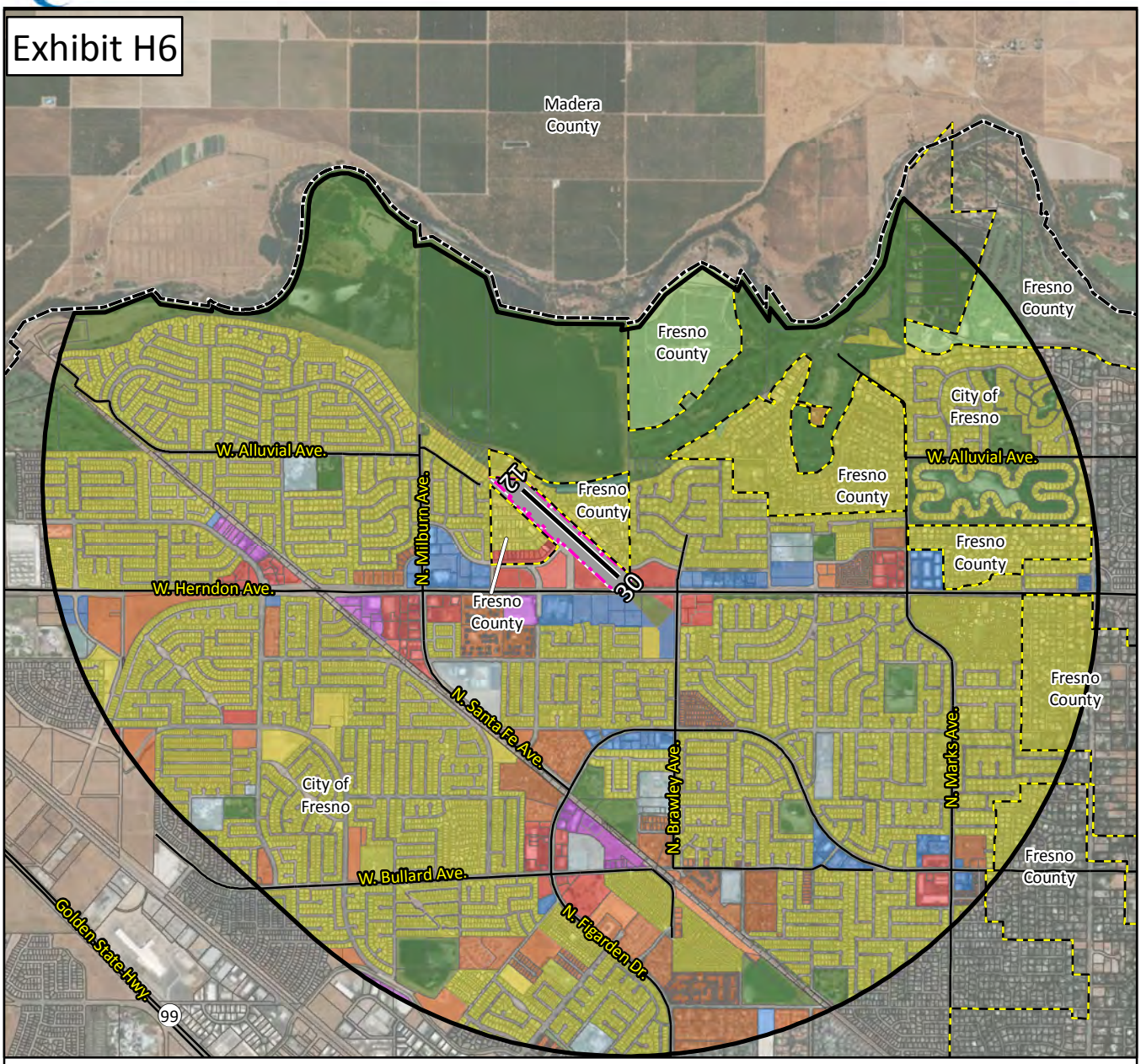
N

0 3,000 6,000

1" = 3,000'

[1]FAA 5010 Master Record.
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]City of Fresno.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit H6




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

Zoning[4]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Office
- Industrial
- Public
- Open Space
- Agriculture
- No Data

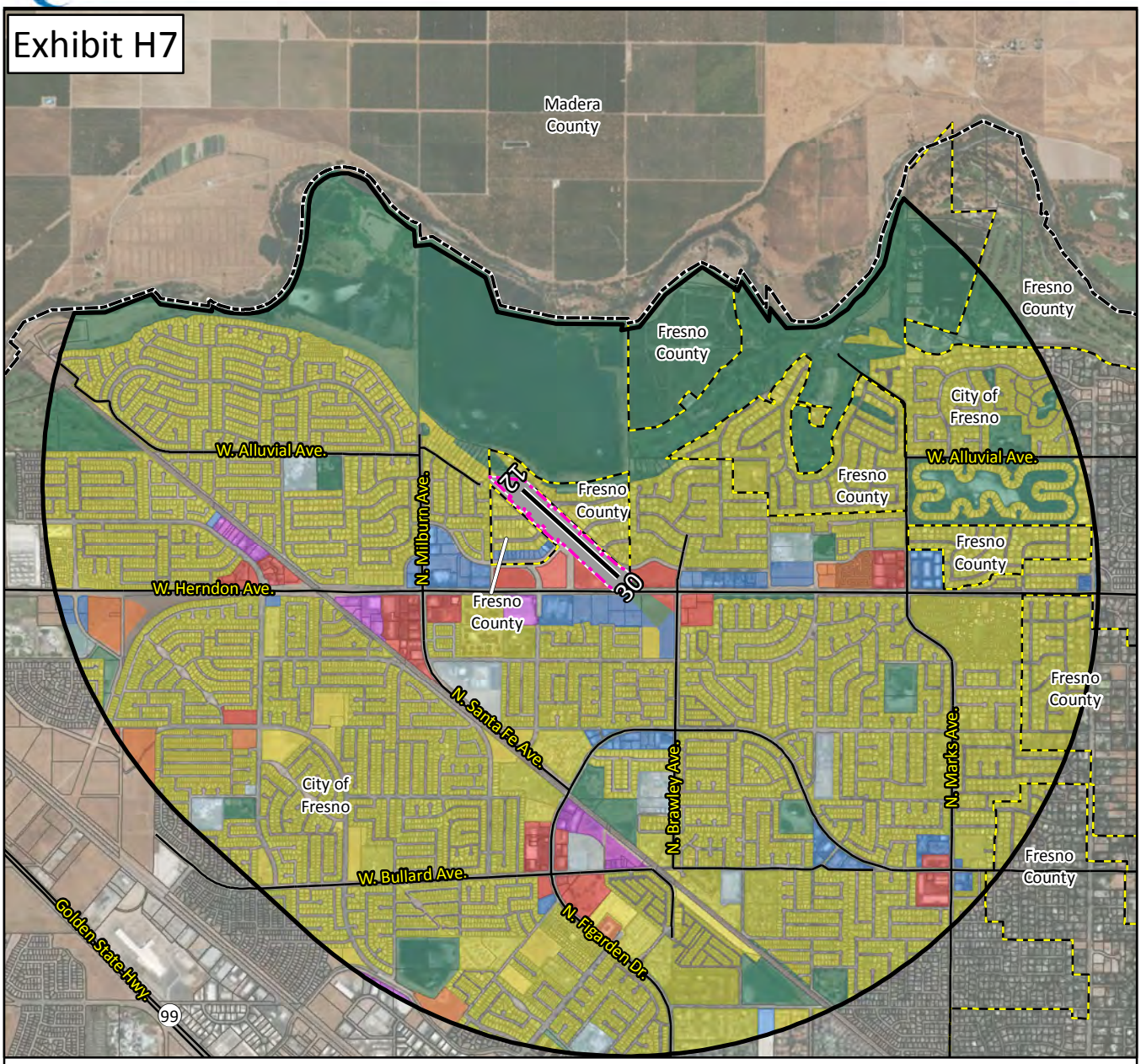
N

0 3,000 6,000

1" = 3,000'

[1]FAA 5010 Master Record.
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno County Zoning, City of Fresno Zoning.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit H7




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

General Plan[4]

- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Commercial
- Office
- Industrial
- Public
- Open Space
- No Data

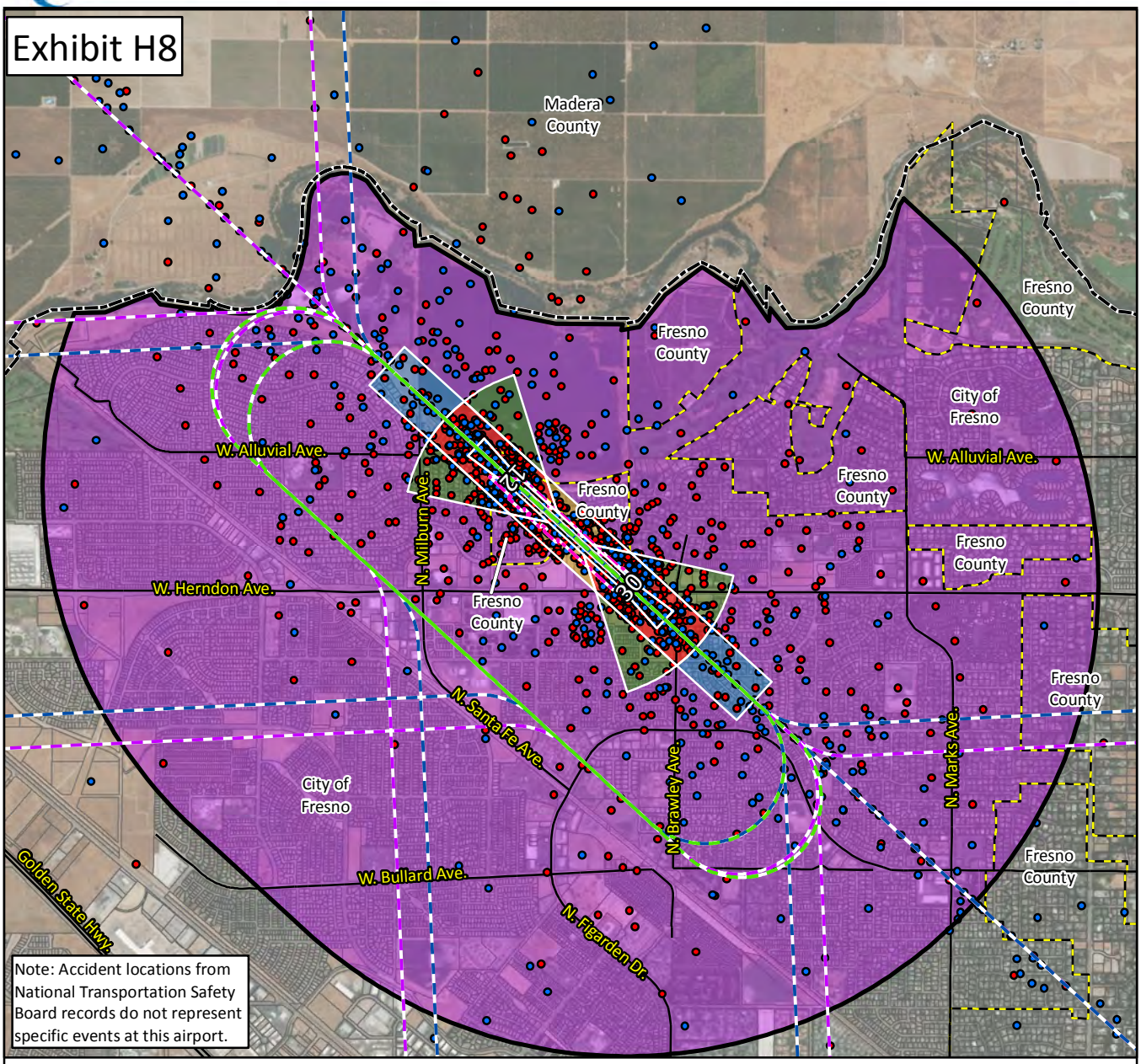
N

0 3,000 6,000

1" = 3,000'

[1]FAA 5010 Master Record.
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]City of Fresno General Plan.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit H8




## LEGEND

- Runway[1]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Arrival Accidents[3]
- Departure Accidents[3]
- Airport Influence Area (AIA)[4]

Flight Tracks[5]

- Approach
- Departure
- Touch And Go

Safety Zones[6]

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

N

0 3,000 6,000

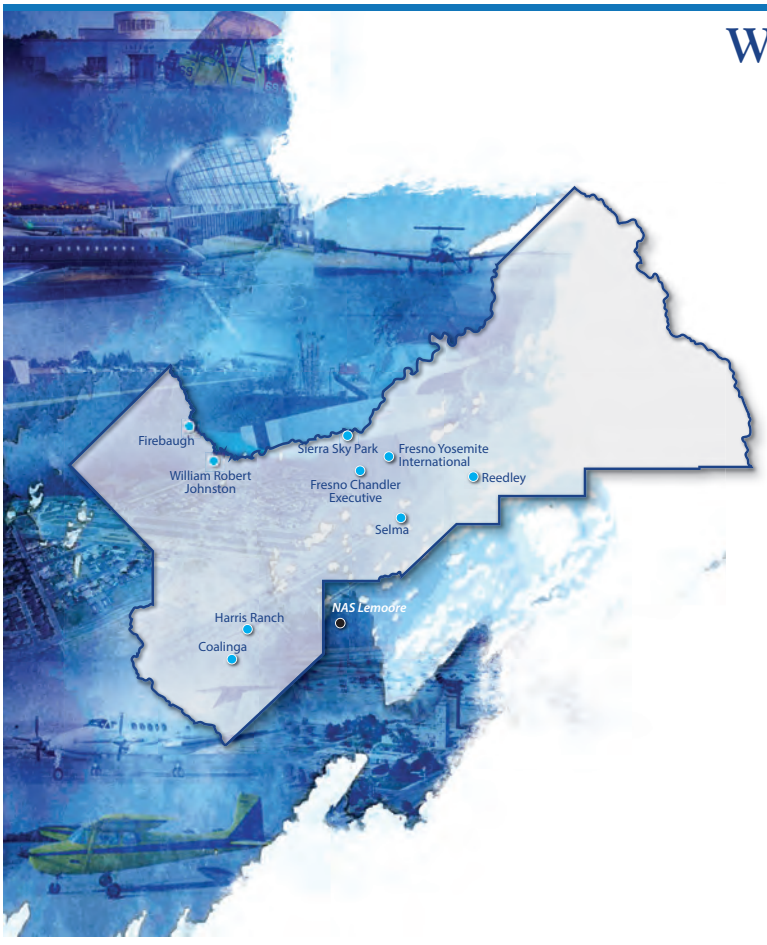
1" = 3,000'

[1]FAA 5010 Master Record.
[2]APN's: 50103102, 50103402, 50104202, 50105001, 50104702.
[3]California Airport Land Use Planning Handbook, 2011. Normalized from airports in United States.
[4]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[5]Coffman Associates Analysis.
[6]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

Fresno Council
of Governments

Appendix J

# WILLIAM ROBERT JOHNSTON MUNICIPAL AIRPORT



# Appendix J: William Robert Johnston Municipal Airport

Appendix J provides an overview of William Robert Johnston Municipal's (Airport) setting, airport influence area (AIA), safety zones, noise, and airspace and overflight areas. This Appendix will also discuss the existing and planned land uses, as well as current and future Airport facilities.

The Airport lies on the eastern boundary of the City of Mendota. The 2017 – 2021 *National Plan of Integrated Airport Systems* classifies it as a general aviation Airport while the 2013 *California Aviation System Plan* considers it a community facility. The Airport is owned by the City of Mendota and is available for public use. The Airport covers 130 acres of land and is at an elevation of 162 feet. The Airport is primarily used for aerial application operations.

## *SAFETY ZONES*

The Airport Influence Area (AIA) and Safety Zones for William Robert Johnston Municipal Airport are shown on **Exhibit J1**. Figure 3A of the California Airport Land Use Planning Handbook (Handbook) provides three example zones for general aviation airports, which are differentiated by runway length. The Handbook zone examples are provided as a starting point for developing safety zones specific to an airport. As discussed below, the Airport has one runway, Runway 15-33, which is 3,499 feet long. The Federal Aviation Administration (FAA)-approved Airport Layout Plan (ALP) includes an extension of 1,400 feet to the northwest for a total of 4,899 feet. Therefore, the Safety Zones are based on the Medium General Aviation Runway example. As discussed below, the traffic pattern is located east of the Airport, therefore; based on Handbook guidance, the Inner Turning Zone is only shown to the east. For this plan, the outermost zone in the Handbook examples was replaced by the 14 CFR Part 77 Conical Surface, which also represents the airspace and overflight review area boundaries. Additional information regarding the safety compatibility zones can be found in **Appendix M**.

## *NOISE*

The standard methodology for analyzing noise conditions at airports involves the use of a computer simulation model. The Airport Environmental Design Tool Version 2c (AEDT) is accepted by the State of California and required by the FAA for developing noise exposure contours. This is the model used to develop the noise exposure contours for this Airport Land Use Compatibility Plan (ALUCP). The following sections describe the noise modeling inputs for the William Robert Johnston Municipal Airport noise exposure contours shown on **Exhibit J2**. Additional information regarding the noise modeling process and land use compatibility thresholds can be found in **Appendix M**.

### AIRCRAFT OPERATIONS AND FLEET MIX

As outlined in Public Utilities Code (PUC) Section 21675(a), the noise contours included in an ALUCP must reflect the anticipated growth of the airport during at least the next 20 years. **Table J1** summarizes the 2037 operations for the Airport using the FAA's Terminal Area Forecast, Fiscal Years 2016-2045, and also includes the aircraft types used in the noise model. Airfield observations and based aircraft lists were used to determine the types of aircraft which frequently use the Airport. To accurately represent the noise conditions at the Airport, the AEDT provides aircraft noise data for many of the aircraft operating in the national fleet.

The selection of individual aircraft types is important to the modeling process because different aircraft types generate different noise levels. The aircraft fleet mix for William Robert Johnston Municipal Airport was derived from an interview with the Airport manager, based aircraft list, and a review of flight plan records. **Table J1** summarizes the generalized fleet mix data input into the noise analysis.

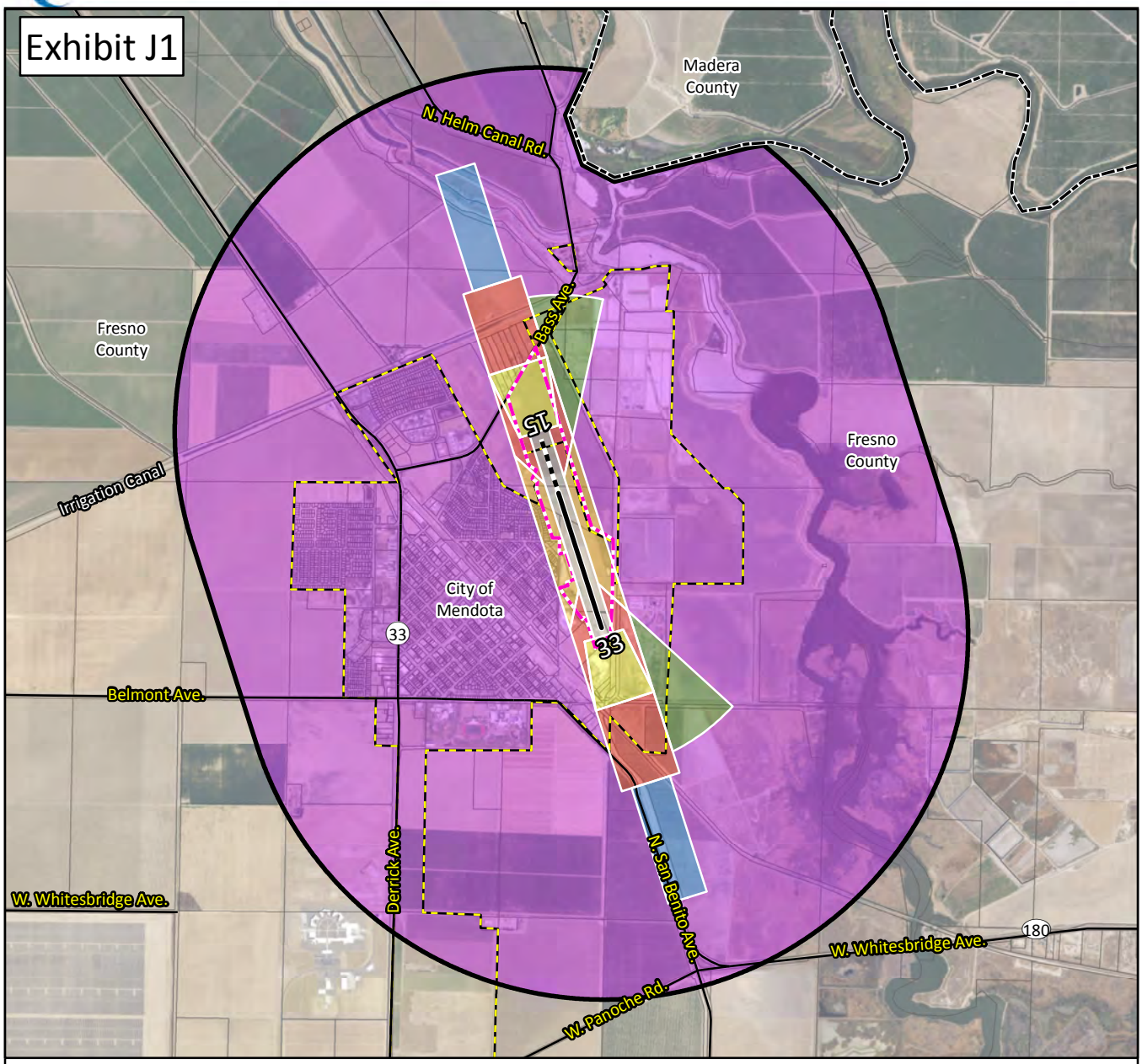
A variety of general aviation, single engine fixed-propeller aircraft are modeled with the GASEPV and GASEPF aircraft in the AEDT. The GASEPV represents many single engine general aviation aircraft including the Mooney M-20, Cessna 172 and 180, and Piper Cherokee Arrow. The general aviation, single engine fixed-pitch propeller model, the GASEPF, also represents several single engine general aviation aircraft. These include the Cessna 150, Piper Archer, and the Piper Tomahawk.

**TABLE J1**
**William Robert Johnston Municipal Airport**
**Aircraft Fleet Mix and Operations**

| Operations | AEDT Designator | 2017[1] | 2037[2] |
|---|---|---|---|
| **Itinerant** | | | |
| Single Engine, Fixed | GASEPF | 1,000 | 1,174 |
| Single Engine, Variable | GASEPV | 1,000 | 1,174 |
| Subtotal | | 2,000 | 2,348 |
| **Local** | | | |
| Single Engine, Fixed | GASEPF | 1,000 | 1,180 |
| Single Engine, Variable | GASEPV | 1,000 | 1,181 |
| Subtotal | | 2,000 | 2,361 |
| Grand Total | | 4,000 | 4,709 |

Source:
[1] FAA 5010 Airport Master Record, operations for 12 months ending July 12, 2016
[2] FAA Terminal Area Forecast, Fiscal Years 2016-2045, January 2017

# Exhibit J1




LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

Safety Zones[4]

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

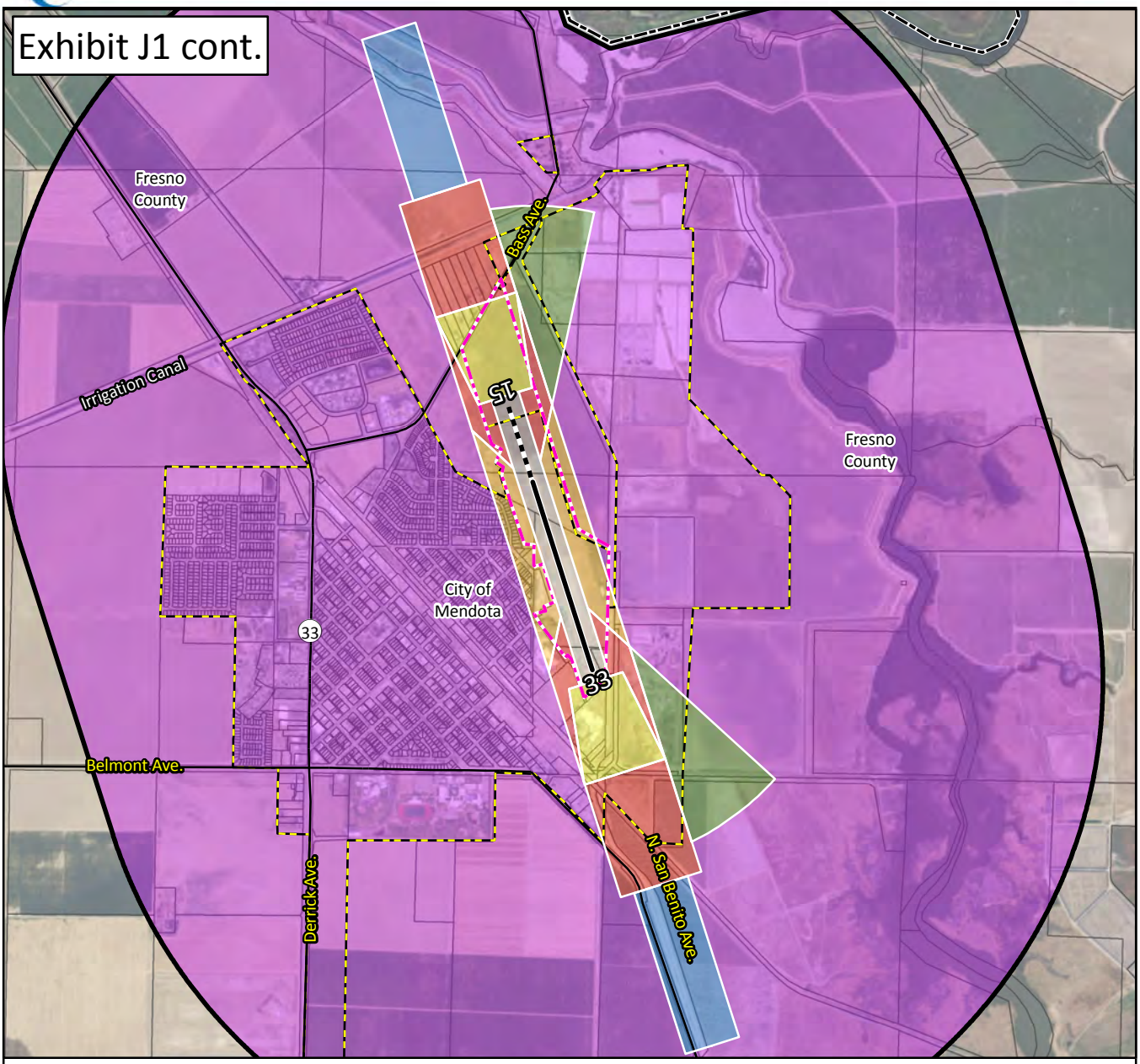
N

0 4,000 8,000

1" = 4,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit J1 cont.




LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

Safety Zones[4]

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

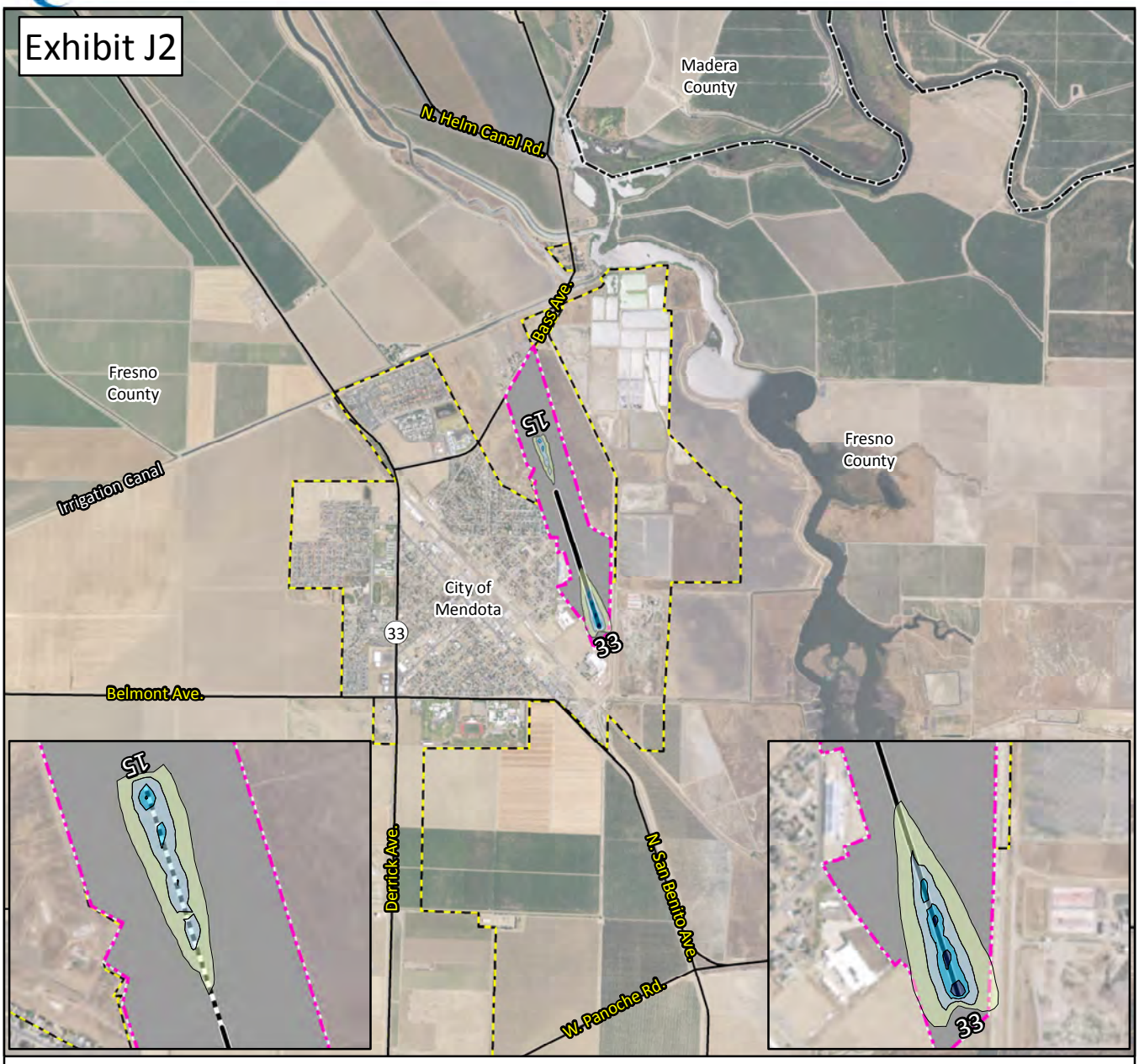
N

0 2,800 5,600

1" = 2,800'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit J2




LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets

Future Noise Contours[3]

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

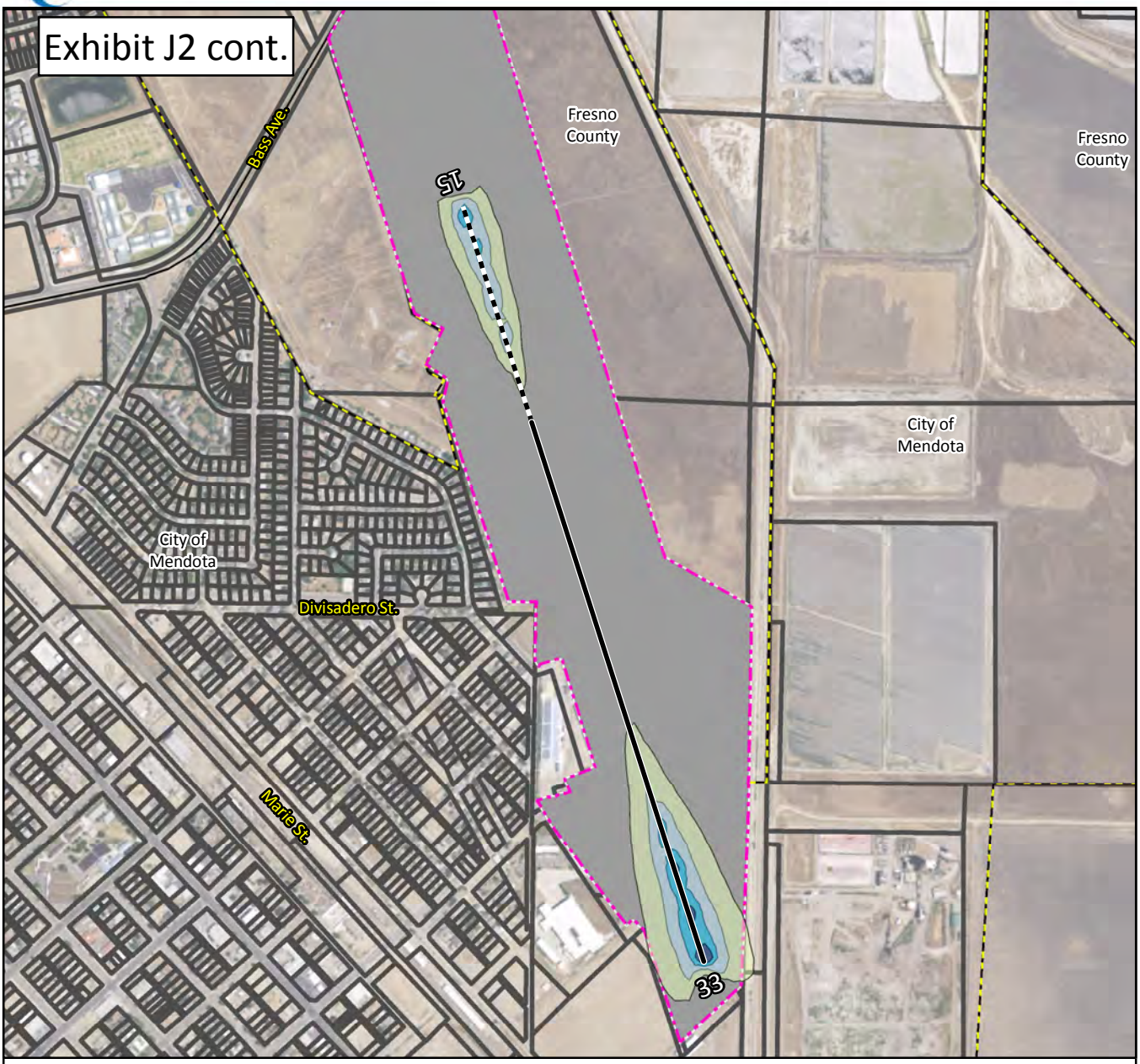
N

0 4,000 8,000

1" = 4,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3] Community Noise Equivalent Level - Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit J2 cont.




LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- Streets

Future Noise Contours[3]

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

N

0 1,000 2,000

1" = 1,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3] Community Noise Equivalent Level - Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

**Time-of-Day**

The time-of-day which aircraft operations occur is important as input to the AEDT due to the 10-decibel nighttime (10:00 p.m. to 7:00 a.m.) and 4.8-decibel evening (7:00 p.m. to 10:00 p.m.) weighting of flights.

Since the Airport is not equipped with an airport traffic control tower (ATCT), time-of-day information was estimated based upon Airport staff interviews and time-of-day activity levels at similar airports. Currently, most operations occur during the daytime hours, with an estimated one percent occurring during evening hours, and approximately one percent occurring during nighttime hours.

**Runway Use**

Runway usage data is also an essential component for developing noise exposure contours. Based on a review of regional airport activity and wind conditions, the following assumptions were made for runway use:

- Runway 15 – 25 percent
- Runway 33 – 75 percent

**Flight Tracks**

A review of local flight procedures was used to develop consolidated flight tracks for use in the AEDT. As discussed below, the traffic pattern for Runway 15 is left hand and the traffic pattern for Runway 33 right hand. Accordingly, it is assumed that touch-and-go traffic occurs to the east of the Airport for Runway 15-33.

**Flight Profiles**

The standard arrival profile used in the AEDT program is a three-degree approach. No indication was given by Airport staff that there was any variation on this standard procedure for civilian aircraft. Therefore, the standard approach was included in the model as representative of local operating conditions.

## *AIRSPACE AND OVERFLIGHT*

**Exhibit J3** depicts the Airspace Plan from the 2005 William Robert Johnston Municipal Airport Layout Plan. This exhibit includes the 14 CFR Part 77 Conical Surface which is also the Airport Influence Area for the Airport.

## *AIRPORT INFORMATION*

### AIRPORT FACILITIES

Airport facilities are summarized in **Table J2** and **Exhibit J4** shows the ALP (November 2005).

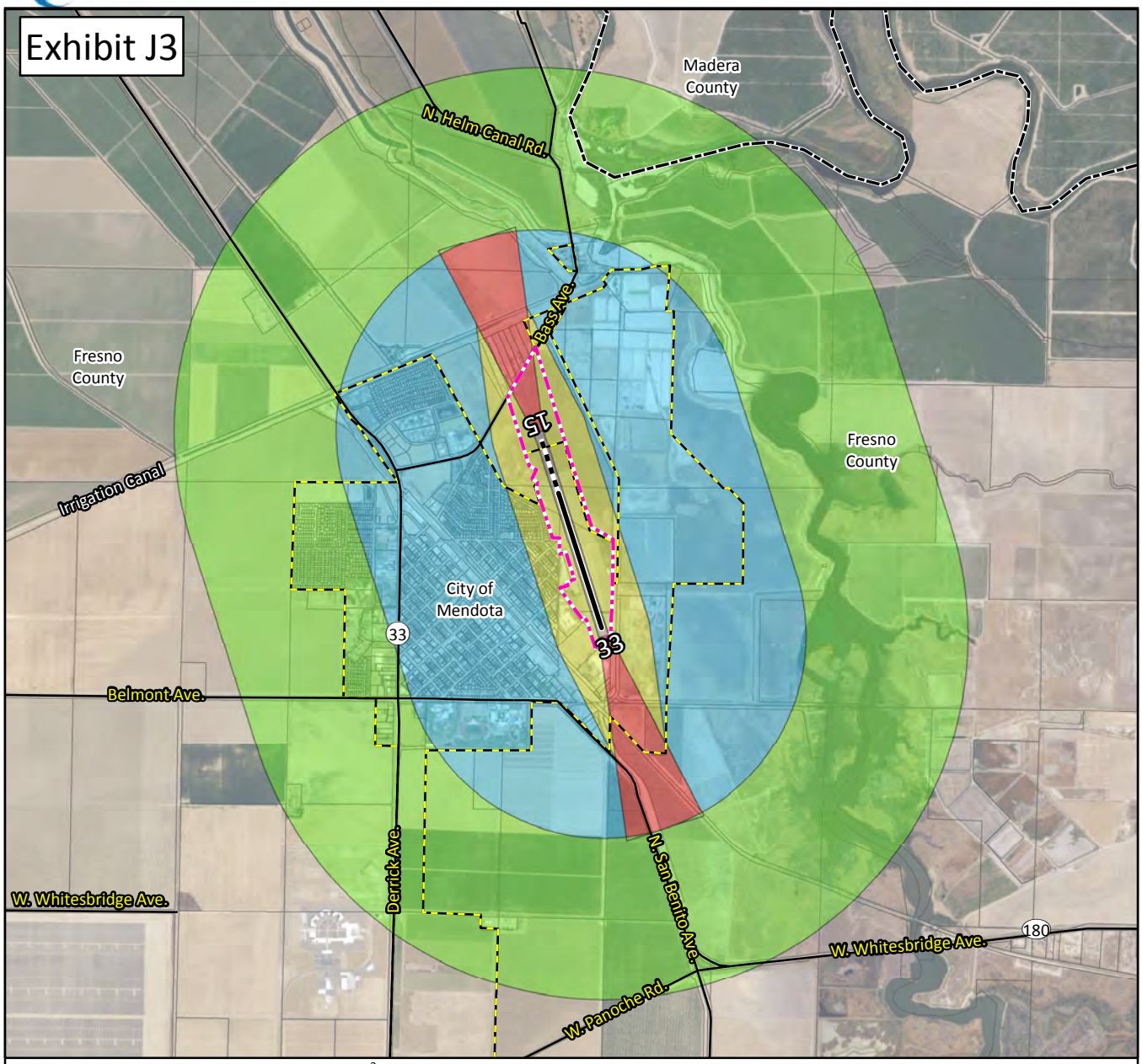
Runway 15-33 is the Airport's only runway. It is 3,499 feet long and sixty feet wide. It is constructed of asphalt and in fair condition. Runway 15 has a left-handed traffic pattern and Runway 33 has a non-standard right-handed traffic pattern. The runway is designed for single wheel aircraft weighing 12,000 pounds or less. The runway markings are basic and in fair condition. There is no runway lighting, visual, or instrument approach aids.

**TABLE J2**
**Airport Facilities**
**William Robert Johnston Municipal Airport**

| | Runway 15-33 |
|---|---|
| **RUNWAY(S)** | |
| Length (feet) | 3,499 |
| Width (feet) | 60 |
| Threshold Displacement (feet) | 0 |
| Runway Pavement Surface Material | Asphalt |
| Runway Pavement Surface Treatment | Not listed |
| Runway Pavement Condition | Fair |
| Traffic Pattern | Left \| Right |
| ***Runway Pavement Load Bearing Strength (lbs.)*** | |
| Single Wheel | 12,000 |
| Dual Wheel | N/A |
| Double Tandem | N/A |
| Double Dual Tandem | N/A |
| ***Runway Pavement Markings*** | |
| Type | Basic |
| Condition | Fair |
| ***Runway Lighting*** | |
| Runway Edge Lighting | None |
| Approach Lighting System (ALS) | None |
| Touchdown Point | None |
| Runway End Identifier Lights (REILs) | None |
| **VISUAL APPROACH AIDS** | |
| Type | None |
| Glide Path | N/A |
| **INSTRUMENT APPROACH AIDS** | |
| Instrument Landing System (ILS) | No |
| Global Positioning System (GPS) | No |
| VOR/DME | No |

N/A: Not Applicable
VOR/DME: Very High Frequency Omnidirectional Range Distance Measuring Equipment
**Source:** AirNav (July 2017)

# Exhibit J3




LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets

Part 77 Surfaces[3]

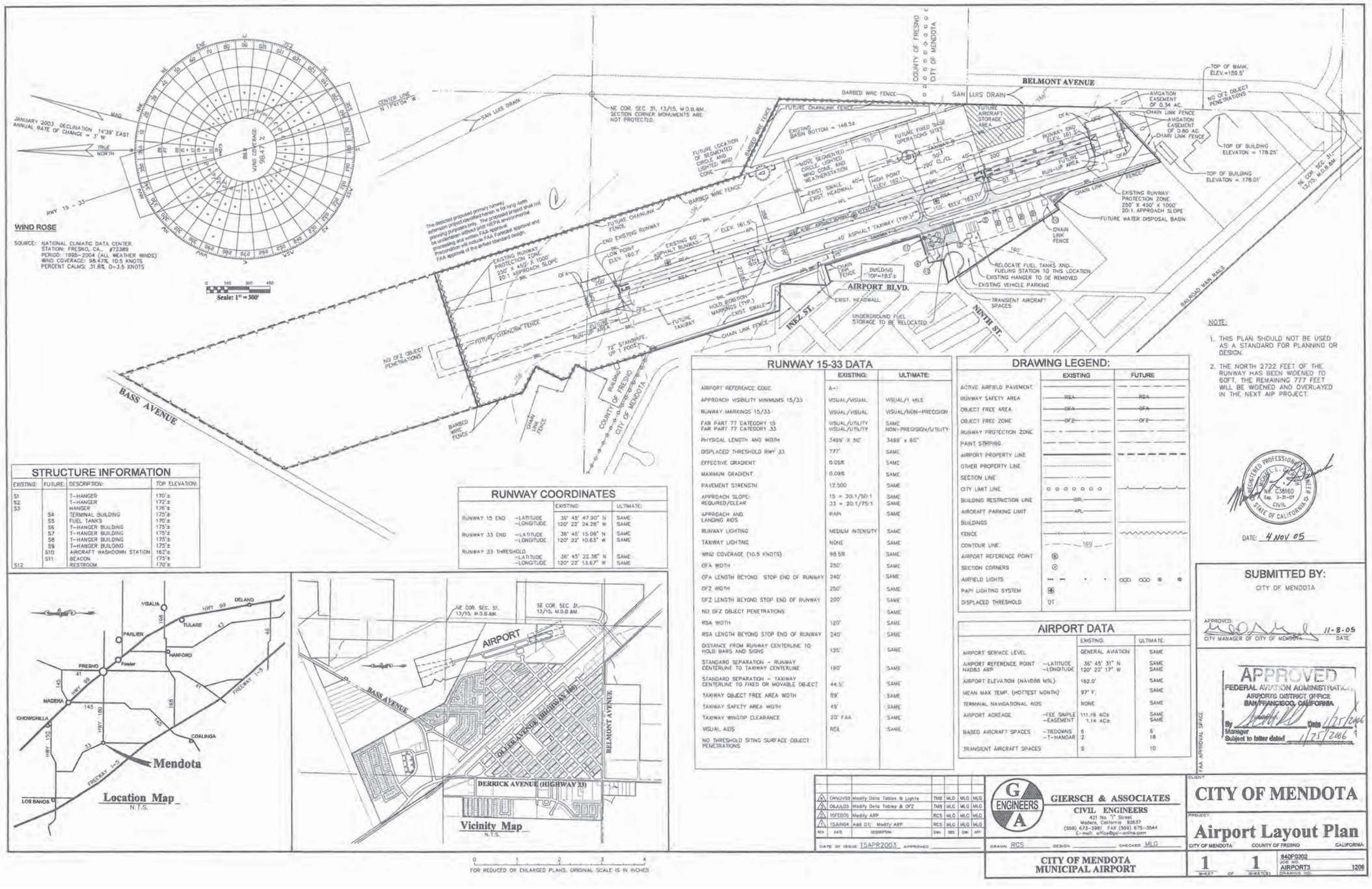
- Primary Surface
- Approach Surface
- Transitional Surface
- Horizontal Surface
- Conical Surface

N

0 4,000 8,000

1" = 4,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3]14 CFR, Subchapter E, Part 77, §77.25.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).




## STRUCTURE INFORMATION

| EXISTING: | FUTURE: | DESCRIPTION: | TOP ELEVATION: |
|---|---|---|---|
| S1 | | T-HANGER | 170'± |
| S2 | | T-HANGER | 172'± |
| S3 | | HANGER | 176'± |
| | S4 | TERMINAL BUILDING | 175'± |
| | S5 | FUEL TANKS | 170'± |
| | S6 | T-HANGER BUILDING | 175'± |
| | S7 | T-HANGER BUILDING | 175'± |
| | S8 | T-HANGER BUILDING | 175'± |
| | S9 | T-HANGER BUILDING | 175'± |
| S10 | | AIRCRAFT WASHDOWN STATION | 162'± |
| | S11 | BEACON | 175'± |
| S12 | | RESTROOM | 170'± |

## RUNWAY COORDINATES

| | | EXISTING: | ULTIMATE: |
|---|---|---|---|
| RUNWAY 15 END | –LATITUDE | 36° 45' 47.90" N | SAME |
| | –LONGITUDE | 120° 22' 24.28" W | SAME |
| RUNWAY 33 END | –LATITUDE | 36° 45' 15.06" N | SAME |
| | –LONGITUDE | 120° 22' 10.63" W | SAME |
| RUNWAY 33 THRESHOLD | –LATITUDE | 36° 45' 22.38" N | SAME |
| | –LONGITUDE | 120° 22' 13.67" W | SAME |







## RUNWAY 15-33 DATA

| | EXISTING: | ULTIMATE: |
|---|---|---|
| AIRPORT REFERENCE CODE | A-I | |
| APPROACH VISIBILITY MINIMUMS 15/33 | VISUAL/VISUAL | VISUAL/1 MILE |
| RUNWAY MARKINGS 15/33 | VISUAL/VISUAL | VISUAL/NON-PRECISION |
| FAR PART 77 CATEGORY 15<br>FAR PART 77 CATEGORY 33 | VISUAL/UTILITY<br>VISUAL/UTILITY | SAME<br>NON-PRECISION/UTILITY |
| PHYSICAL LENGTH AND WIDTH | 3499' X 50' | 3499' x 60' |
| DISPLACED THRESHOLD RWY 33 | 777' | SAME |
| EFFECTIVE GRADIENT | 0.05% | SAME |
| MAXIMUM GRADIENT | 0.09% | SAME |
| PAVEMENT STRENGTH | 12,500 | SAME |
| APPROACH SLOPE:<br>REQUIRED/CLEAR | 15 = 30:1/50:1<br>33 = 20:1/75:1 | SAME<br>SAME |
| APPROACH AND LANDING AIDS | PAPI | SAME |
| RUNWAY LIGHTING | MEDIUM INTENSITY | SAME |
| TAXIWAY LIGHTING | NONE | SAME |
| WIND COVERAGE (10.5 KNOTS) | 98.5% | SAME |
| OFA WIDTH | 250' | SAME |
| OFA LENGTH BEYOND STOP END OF RUNWAY | 240' | SAME |
| OFZ WIDTH | 250' | SAME |
| OFZ LENGTH BEYOND STOP END OF RUNWAY | 200' | SAME |
| NO OFZ OBJECT PENETRATIONS | | SAME |
| RSA WIDTH | 120' | SAME |
| RSA LENGTH BEYOND STOP END OF RUNWAY | 240' | SAME |
| DISTANCE FROM RUNWAY CENTERLINE TO HOLD BARS AND SIGNS | 125' | SAME |
| STANDARD SEPARATION – RUNWAY CENTERLINE TO TAXIWAY CENTERLINE | 190' | SAME |
| STANDARD SEPARATION – TAXIWAY CENTERLINE TO FIXED OR MOVABLE OBJECT | 44.5' | SAME |
| TAXIWAY OBJECT FREE AREA WIDTH | 89' | SAME |
| TAXIWAY SAFETY AREA WIDTH | 49' | SAME |
| TAXIWAY WINGTIP CLEARANCE | 20' FAA | SAME |
| VISUAL AIDS | REIL | SAME |
| NO THRESHOLD SITING SURFACE OBJECT PENETRATIONS | | |

## DRAWING LEGEND:

| | EXISTING | FUTURE |
|---|---|---|
| ACTIVE AIRFIELD PAVEMENT | | |
| RUNWAY SAFETY AREA | RSA | RSA |
| OBJECT FREE AREA | OFA | OFA |
| OBJECT FREE ZONE | OFZ | OFZ |
| RUNWAY PROTECTION ZONE | | |
| PAINT STRIPING | | |
| AIRPORT PROPERTY LINE | | |
| OTHER PROPERTY LINE | | |
| SECTION LINE | | |
| CITY LIMIT LINE | | |
| BUILDING RESTRICTION LINE | BRL | |
| AIRCRAFT PARKING LIMIT | APL | |
| BUILDINGS | | |
| FENCE | | |
| CONTOUR LINE | 160 | |
| AIRPORT REFERENCE POINT | | |
| SECTION CORNERS | | |
| AIRFIELD LIGHTS | | |
| PAPI LIGHTING SYSTEM | | |
| DISPLACED THRESHOLD | DT | |

## AIRPORT DATA

| | | EXISTING: | ULTIMATE: |
|---|---|---|---|
| AIRPORT SERVICE LEVEL | | GENERAL AVIATION | SAME |
| AIRPORT REFERENCE POINT NAD83 ARP | –LATITUDE | 36° 45' 31" N | SAME |
| | –LONGITUDE | 120° 22' 17" W | SAME |
| AIRPORT ELEVATION (NAVD88 MSL) | | 182.0' | SAME |
| MEAN MAX TEMP. (HOTTEST MONTH) | | 97° F | SAME |
| TERMINAL NAVIGATIONAL AIDS | | NONE | SAME |
| AIRPORT ACREAGE | –FEE SIMPLE | 111.19 AC± | SAME |
| | –EASEMENT | 1.14 AC± | SAME |
| BASED AIRCRAFT SPACES | –TIEDOWNS | 6 | 6 |
| | –T-HANGAR | 2 | 18 |
| TRANSIENT AIRCRAFT SPACES | | 5 | 10 |

NOTE:

1. THIS PLAN SHOULD NOT BE USED AS A STANDARD FOR PLANNING OR DESIGN.
2. THE NORTH 2722 FEET OF THE RUNWAY HAS BEEN WIDENED TO 60FT. THE REMAINING 777 FEET WILL BE WIDENED AND OVERLAYED IN THE NEXT AIP PROJECT.

REGISTERED PROFESSIONAL ENGINEER — MICHAEL L. GIERSCH — No. C38160 Exp. 3-31-07 — CIVIL — STATE OF CALIFORNIA

DATE: 4 NOV 05

SUBMITTED BY:
CITY OF MENDOTA

APPROVED: CITY MANAGER OF CITY OF MENDOTA — DATE: 11-8-05

FAA APPROVAL SPACE

APPROVED
FEDERAL AVIATION ADMINISTRATION
AIRPORTS DISTRICT OFFICE
SAN FRANCISCO, CALIFORNIA
By Manager — Date 11/15/2006
Subject to letter dated 11/15/2006

| | | | | | |
|---|---|---|---|---|---|
| 4 | DNKJV03 | Modify Data Tables & Lights | TNB | MLG | MLG |
| 3 | 08JUL05 | Modify Data Tables & OFZ | TNB | MLG | MLG |
| 2 | 15FEB05 | Modify ARP | RCS | MLG | MLG |
| 1 | 15JAN04 | Add DT; Modify ARP | RCS | MLG | MLG |
| REV. | DATE | DESCRIPTION | DRN | DES | CHK |

DATE OF ISSUE 15APR2003 APPROVED

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
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Madera, California 93637
(559) 673-3981 FAX (559) 675-3544
E-mail: office@gyi-online.com

DRAWN RCS DESIGN CHECKED MLG

CITY OF MENDOTA MUNICIPAL AIRPORT

CLIENT: CITY OF MENDOTA

PROJECT: Airport Layout Plan
CITY OF MENDOTA COUNTY OF FRESNO CALIFORNIA

SHEET 1 OF 1 SHEET(S)

JOB NO. 840F0302
DRAWING NO. AIRPORT3 1206

FOR REDUCED OR ENLARGED PLANS, ORIGINAL SCALE IS IN INCHES

### FUTURE AIRPORT PLANS

There is a runway extension proposed to the north of Runway 15 in the long-term future. Other ultimate airfield plans include widening Runway 15-33 ten feet, and updating runway marking on Runway 33 to be non-precision.

## *AIRPORT ENVIRONS*

### EXISTING LAND USES

Existing land uses within the AIA are shown **Exhibit J5**. Note that only areas within Fresno County are considered as part of this ALUCP.

The Airport is within the municipal boundary of the City of Mendota; however, much of the AIA is considered unincorporated Fresno County. North of Bass Avenue are single family residential uses. East of the Airport are agricultural uses. South and southwest of Runway 33 are industrial uses, and along much of the western side of the Airport are single family residential neighborhoods. Downtown Mendota is west of the Airport, which consists of residential, commercial, and industrial uses. Much of the remainder of the AIA is used for agriculture; however, there is a substantial area east of the Airport for public use.

### ZONING

**Exhibit J6** shows the zoning in the AIA.

Much of the area in the AIA is zoned for agricultural uses, including the areas immediately northwest, north, and east of the Airport. To the southwest and south of Runway 33, the land is zoned for industrial purposes, and to the southeast, land is zoned for public use. The City of Mendota, primarily to the west of the Airport, is zoned for primarily single family residential, although there are parcels zoned for multi-family residential, industrial, commercial, and public uses, as well.

### GENERAL PLAN

General plan land uses are displayed on **Exhibit J7**.

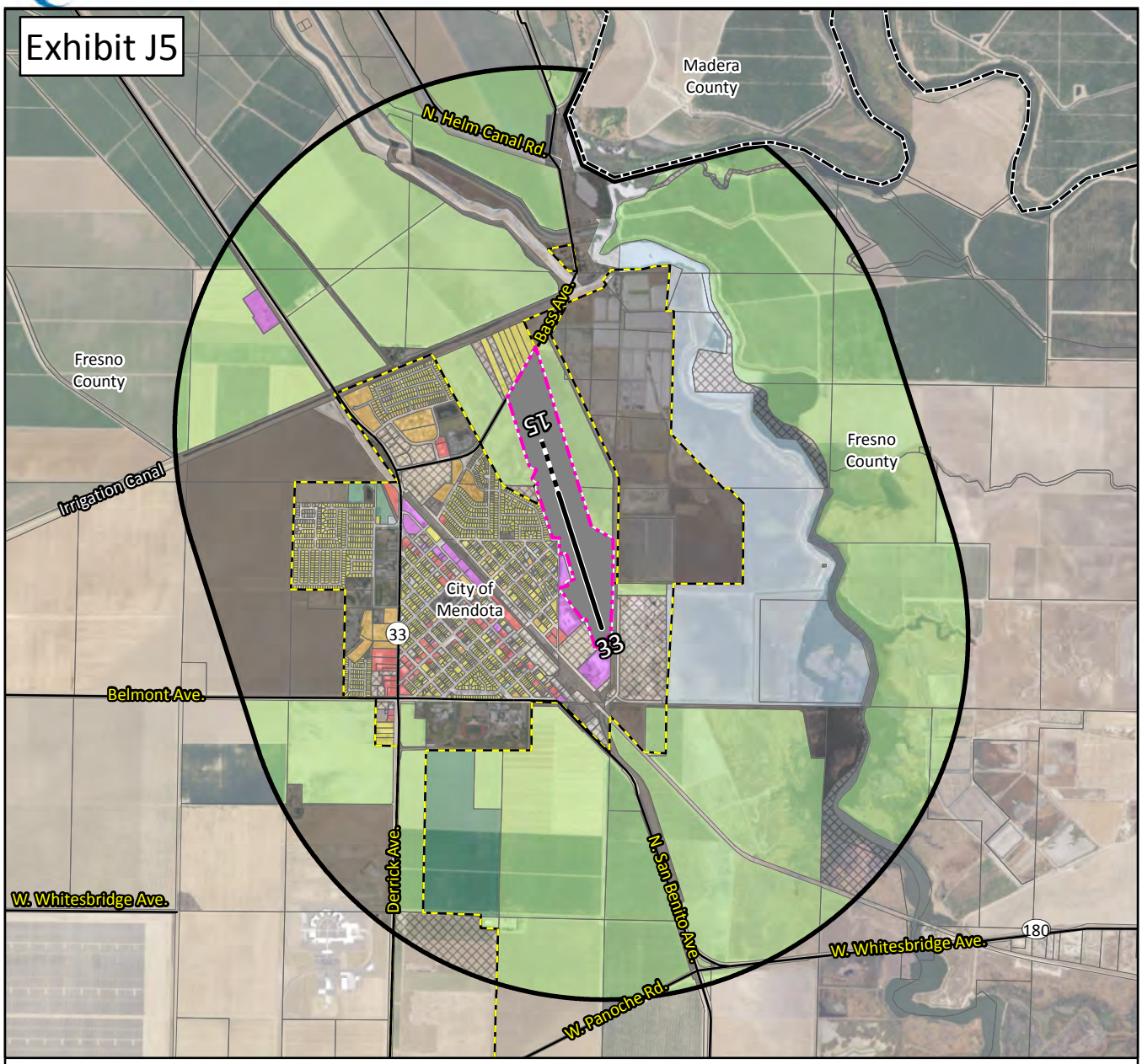
Areas to the north and west of the Airport area planned for residential use. The area to the west of Runway 15-33 is planned for open space, whereas areas farther to the west are planned for public and then open space. To the southeast and south of the Runway 33 end, the land is planned for industrial uses. West of the Airport near the main area of the City of Mendota, there are uses planned for residential, office and mixed use, which is often a combination of commercial and residential uses. In contrast to the existing land use exhibit, **Exhibit J7** shows more development in the AIA. Much of the AIA is

planned for single family residential and mixed use; however, there are still significant portions planned for open space and agricultural uses.

## *COMPATIBILITY FACTORS*

**Exhibit J8** is a compatibility factors map, which compiles National Transportation Safety Board flight accident data for all airports in the United States, noise exposure contours, and arrival and departure flight tracks from the noise exposure contours. The purpose of this exhibit is to illustrate the methodology behind the shape and size of the safety, noise, and airspace compatibility zones.

# Exhibit J5




## LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

Existing Land Use[4]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Open Space
- Public
- Agricultural
- Transportation/Right-of-Way
- Vacant
- No Data

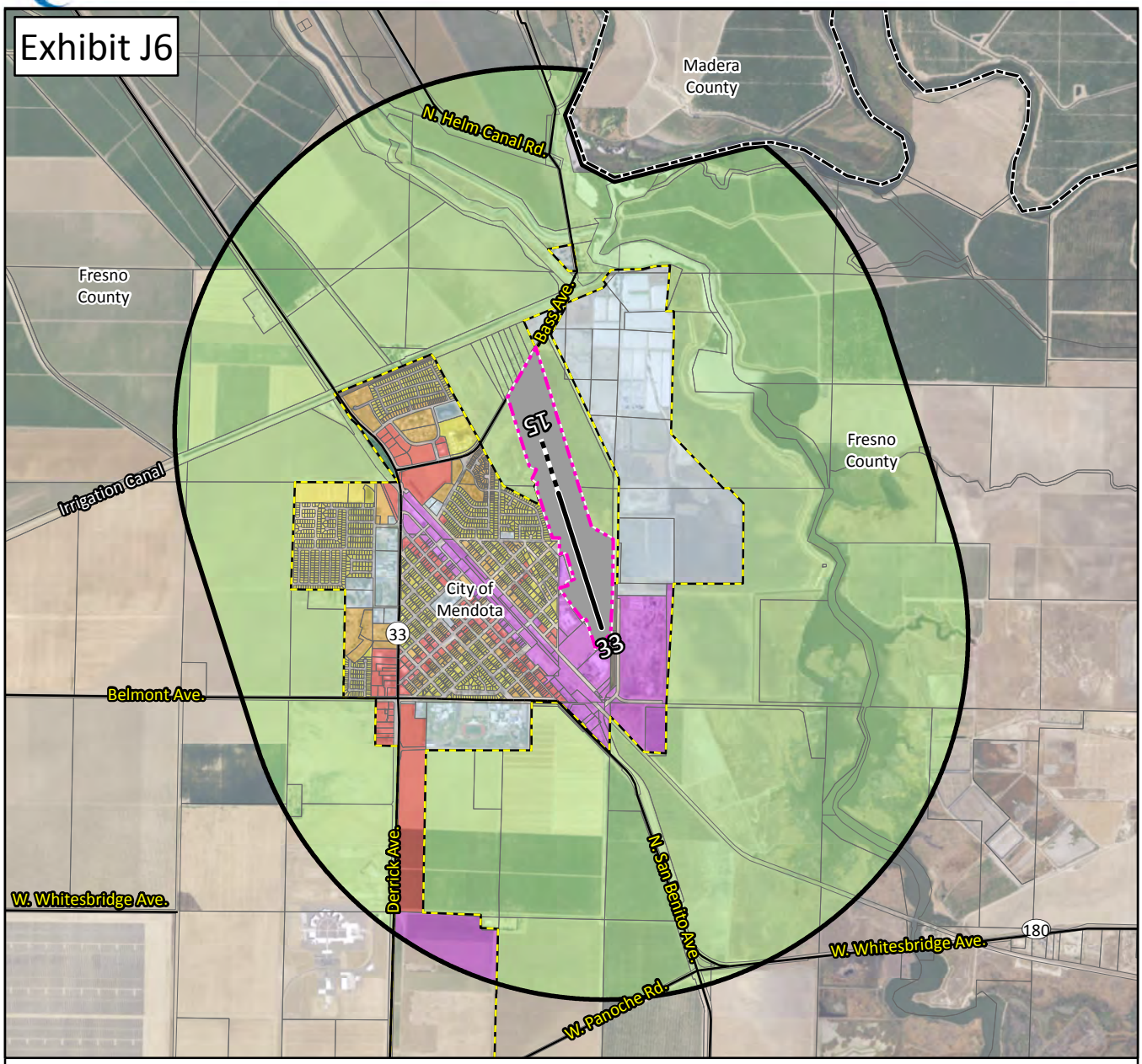
N

0 4,000 8,000

1" = 4,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno Council of Governments.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit J6




LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

Zoning[4]

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Public
- Open Space
- Agriculture
- No Data

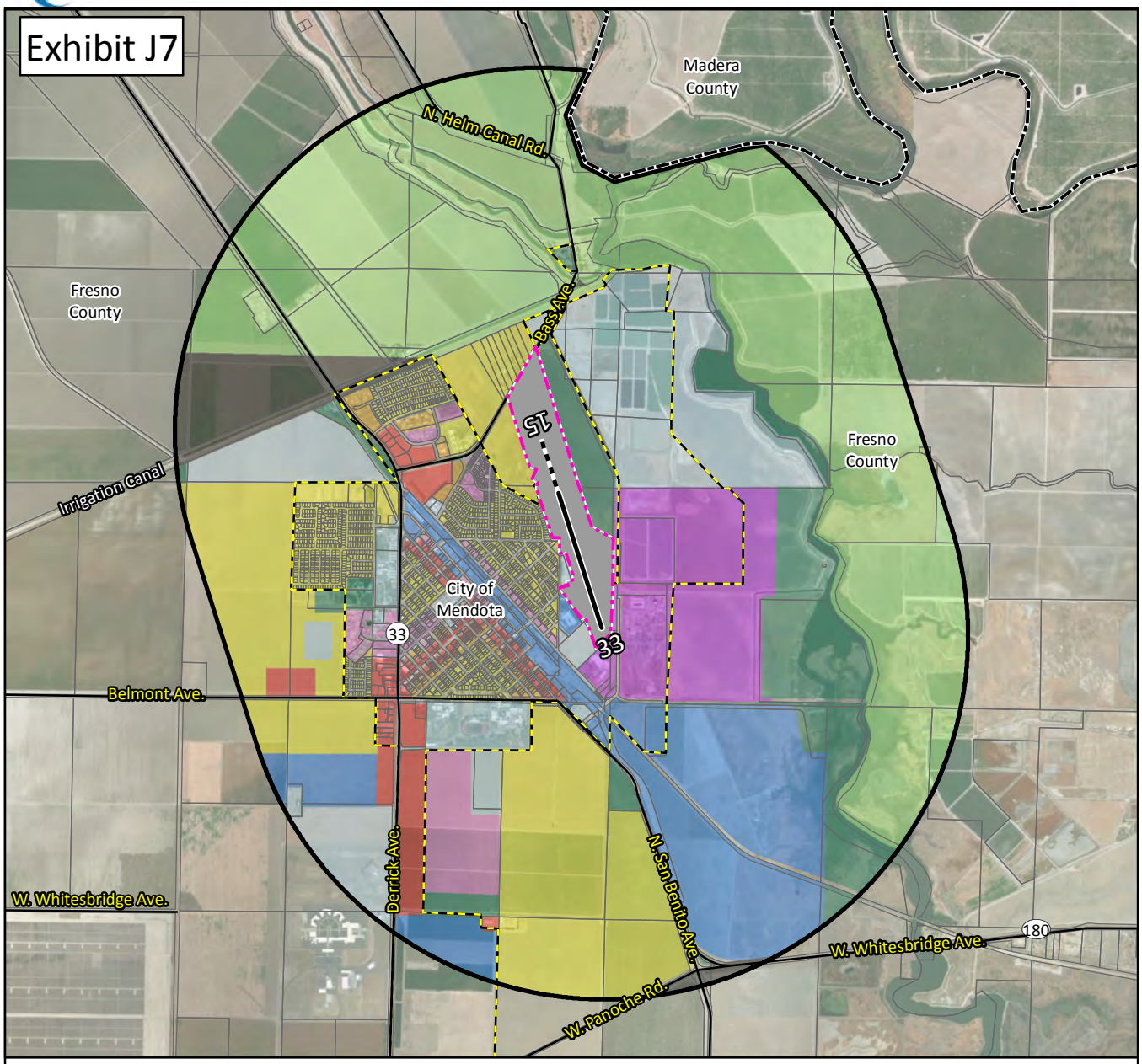
N

0 4,000 8,000

1" = 4,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3]77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno County Zoning, City of Mendota Zoning.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit J7




## LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Airport Influence Area (AIA)[3]

General Plan[4]

- Single Family Residential
- Multi-Family Residential
- Mixed Use
- Commercial
- Office
- Industrial
- Public
- Open Space
- Agriculture
- No Data

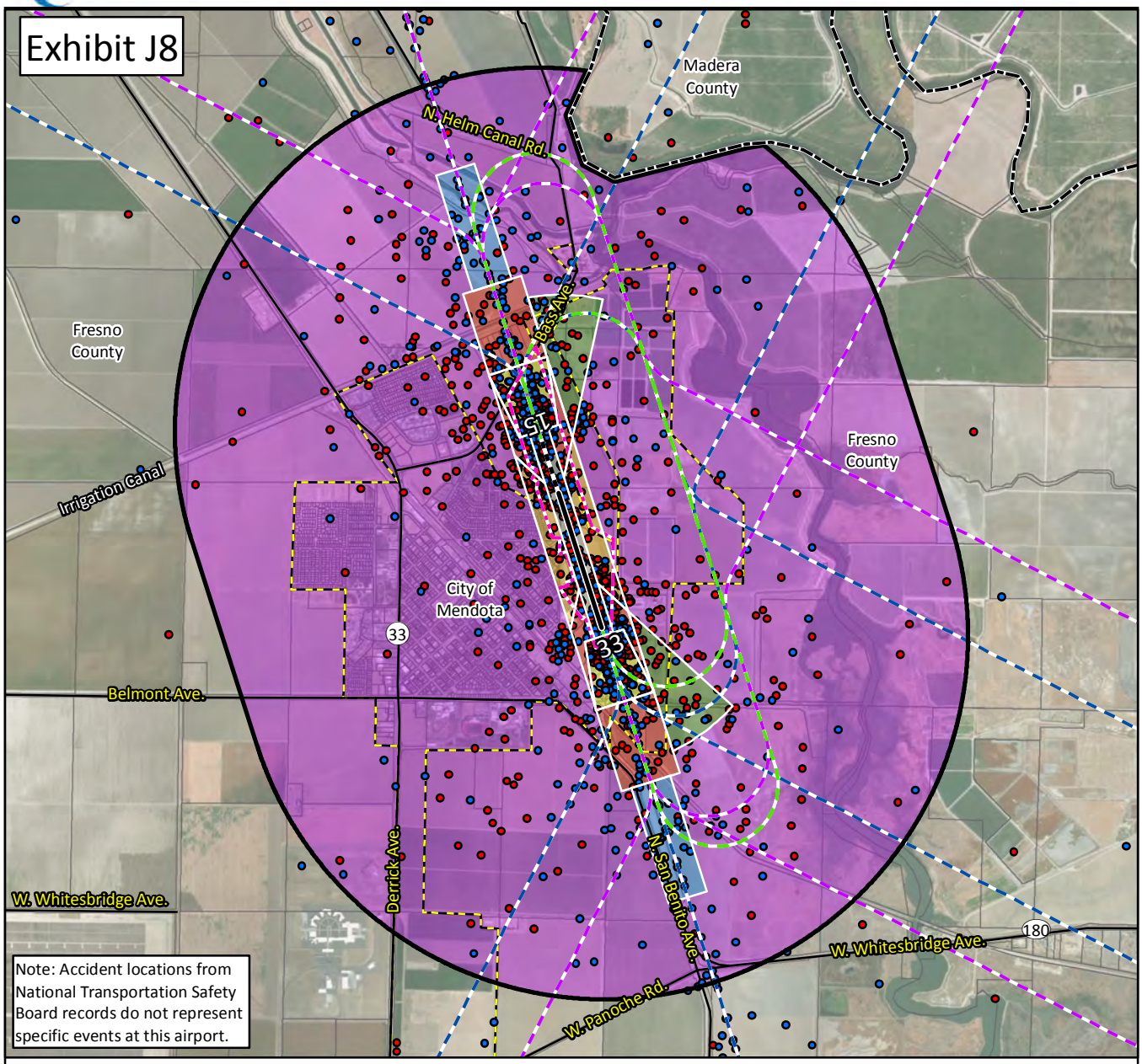
N

0 4,000 8,000

1" = 4,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[4]Fresno County General Plan.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

# Exhibit J8




LEGEND

- Existing Runway[1]
- Ultimate Runway[2]
- Airport Property[2]
- Parcel Boundary
- Municipal Boundary
- County Boundary
- Streets
- Arrival Accidents[3]
- Departure Accidents[3]
- Airport Influence Area (AIA)[4]

Flight Tracks[5]

- Approach
- Departure
- Touch And Go

Safety Zones[6]

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

N

0 4,000 8,000

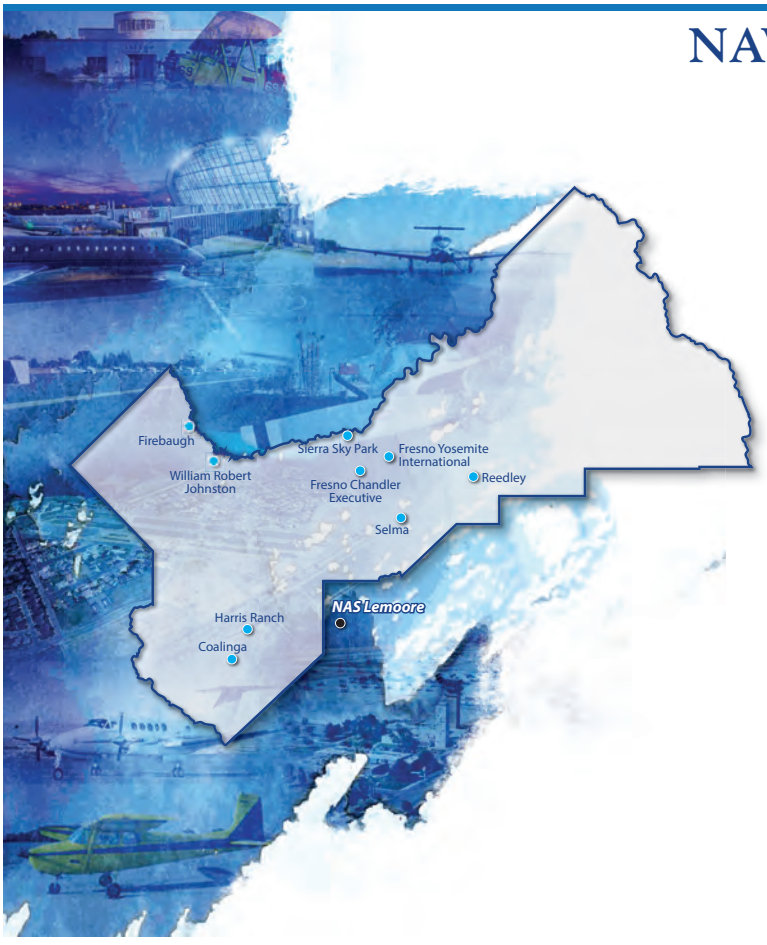
1" = 4,000'

[1]FAA 5010 Master Record.
[2]William Robert Johnston Airport Layout Plan.
[3]California Airport Land Use Planning Handbook, 2011. Normalized from airports in United States.
[4]Part 77 Conical Surface. See 14 CFR, Subchapter E, Part 77, §77.25.
[5]Coffman Associates analysis.
[6]Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis.
Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

Fresno Council
of Governments

# Appendix K

# NAVAL AIR STATION LEMOORE



# Appendix K: Naval Air Station Lemoore

Appendix K includes the land use compatibility criteria and maps for Naval Air Station (NAS) Lemoore. NAS Lemoore is located within both Fresno and Kings County. This plan will focus on policies and information relevant to the components of the Airport that are influenced by Fresno County only. The NAS Lemoore was commissioned in 1961 and remains the Navy's newest, largest, and only west coast Master Jet Base. The primary purpose of the Airport is to support Strike Fighter Wing, U.S. Pacific Fleet, and man, train, and equip west coast Strike Fighter squadrons. Much of the activity at the Airport consists of training flights for pilots.

NAS Lemoore covers approximately 19,000 acres, about 10,000 acres of which are leased for agricultural uses and which act as mitigation for the Bird/Animal Aircraft Strike Program. The facility has three operational areas:

- Air Operations Area: Includes the airfield, weapons handling and storage facilities, fuels, aircraft maintenance and aviation storage
- Administration Area: Contains NAS Lemoore administrative offices, training schools, public works facilities, emergency services and a water treatment plant
- Housing Area: Contains Kindergarten through 8$^{th}$ grade and Kindergarten through fifth grade schools, youth center, single and multi-family homes, restaurants, enlisted and officers clubs, barracks, hospital, gymnasium, shopping mall, equestrian center, and other community support facilities.

The United States (U.S.) Department of Defense has established two types of studies to promote compatible land use near military installations. The first is the Air Installation Compatible Use Zones (AICUZ) program, which includes noise exposure contours and accident potential zones. The second is the Joint Land Use Study, which is a cooperative effort between the Department of Defense and surrounding

communities to prepare land use planning documents to promote compatible land use near military installations. The following two documents were prepared for NAS Lemoore:

- *Air Installations Compatible Use Zones Report, Naval Air Station Lemoore, California*, November 2010
- *NAS Lemoore Joint Land Use Study*, August 2011

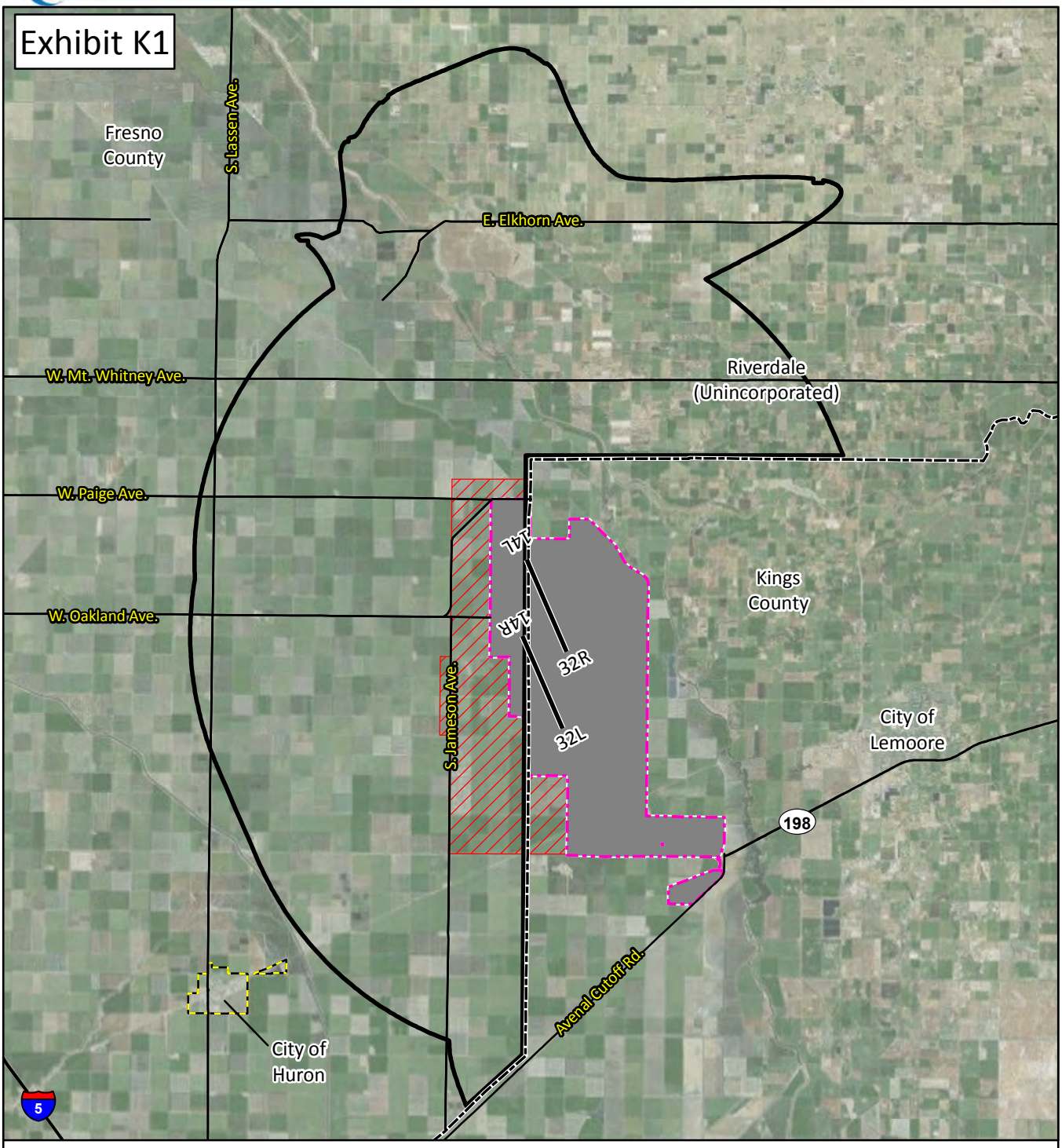
Both reports include recommended land use compatibility measures for implementation in Fresno County. **Exhibit K1** depicts the Airport Influence Area (AIA) within Fresno County for NAS Lemoore. Additionally, the Restructure Use Easement is shown on **Exhibit K1**. The Restructure Use Easement is an area of 10,639.60 acres in Fresno and Kings Counties that are taken for use by the U.S. as long as NAS Lemoore is owned and maintained by the U.S. Government. Area within this easement restricts land uses to agricultural purposes and mineral exploration, development and production. Further, structures of any kind, except for those related to farming and mining (not used for habitation), are prohibited. These structures cannot exceed 25 feet above ground level.

## *AIRPORT FACILITIES*

Airport facilities are summarized in **Table K1**.

The Airport has two runways: Runway 14L-32R and Runway 14R-32L. Runway 14L-32R is 13,502 feet long and 200 feet wide. It is made of concrete. Both runway ends are left-handed traffic patterns. The runway is strength-rated to withstand up to 664,000 pounds. Runway edge lighting is high intensity and is equipped with an obstacle landing system. The touchdown point is unlighted and there are runway end identifier lights. There are no visual approach aids; however, there are two instrument approach aids, including tactical air navigation (TACAN) and global positioning system (GPS).

Runway 14R-32L is 13,501 feet long and 200 feet wide. It is constructed of concrete and both runways use left-handed traffic patterns. The runway can withstand up to 709,000 pounds. Runway lighting is high intensity, and there is an unlighted touchdown point as well as runway end identifier lights. Runway 14R has an obstacle landing system, while Runway 32L has a standard 2,400 foot high intensity approach lighting system with centerline sequenced flashers. There are no visual approach aids but there are two instrument approach aids, including TACAN and GPS.




LEGEND

- Runway[1]
- Airport Property[2]
- Municipal Boundary
- County Boundary
- Streets
- NAS Lemoore Safety Easement
- Airport Influence Area (AIA)[3]

N

0 20,000 40,000

1" = 20,000'

[1]Federal Aviation Administration Web Data Sheet.
[2]NAS Lemoore.
[3]AIA comprised of outer edges of NAS Lemoore Noise Zone and Outer Horizontal Surface.
Sources:NAS Lemoore, Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).

**TABLE K1**
**Airport Facilities**
**Naval Air Station Lemoore**

| | Runway 14L-32R | Runway 14R-32L |
|---|---|---|
| **RUNWAY(S)** | | |
| Length (feet) | 13,502 | 13,501 |
| Width (feet) | 200 | 200 |
| Threshold Displacement (feet) | 0 | 0 |
| Runway Pavement Surface Material | Concrete | Concrete |
| Runway Pavement Surface Treatment | N/A | N/A |
| Runway Pavement Condition | Unknown | Unknown |
| Traffic Pattern | Left \| Right | Right \| Left |
| ***Runway Pavement Load Bearing Strength (lbs.)*** | | |
| Pavement Classification Number (PCN) | 51 | 56 |
| Single Wheel | No limit | No limit |
| Dual Wheel | 168,000 | 183,000 |
| Double Tandem | 264,000 | 285,000 |
| Double Dual Tandem | 664,000 | 709,000 |
| ***Runway Pavement Markings*** | | |
| Type | None | None |
| Condition | None | None |
| ***Runway Lighting*** | | |
| Runway Edge Lighting | HIRL | HIRL |
| Approach Lighting System (ALS) | OLS | OLS \| ALSF2, SF, OLS, Wave-Off |
| Touchdown Point | Yes (no lights) | Yes (lighted) |
| Runway End Identifier Lights (REILs) | Yes | Yes |
| **VISUAL APPROACH AIDS** | | |
| Type | None | None |
| Glide Path | None | None |
| **INSTRUMENT APPROACH AIDS** | | |
| Instrument Landing System (ILS) | No | No |
| Global Positioning System (GPS) | Yes | Yes |
| TACAN | Yes | Yes |
| VOR/DME/ | No | No |

HIRL: High Intensity Runway Lights
OLS: Obstacle Landing System
ALSF2: Approach Lighting System with Sequenced Flashing Lights Category 2
TACAN: Tactical Air Navigation
VOR/DME: Very High Frequency Omnidirectional Range Distance Measuring Equipment
**Source:** AirNav (July 2017)

## *SAFETY ZONES*

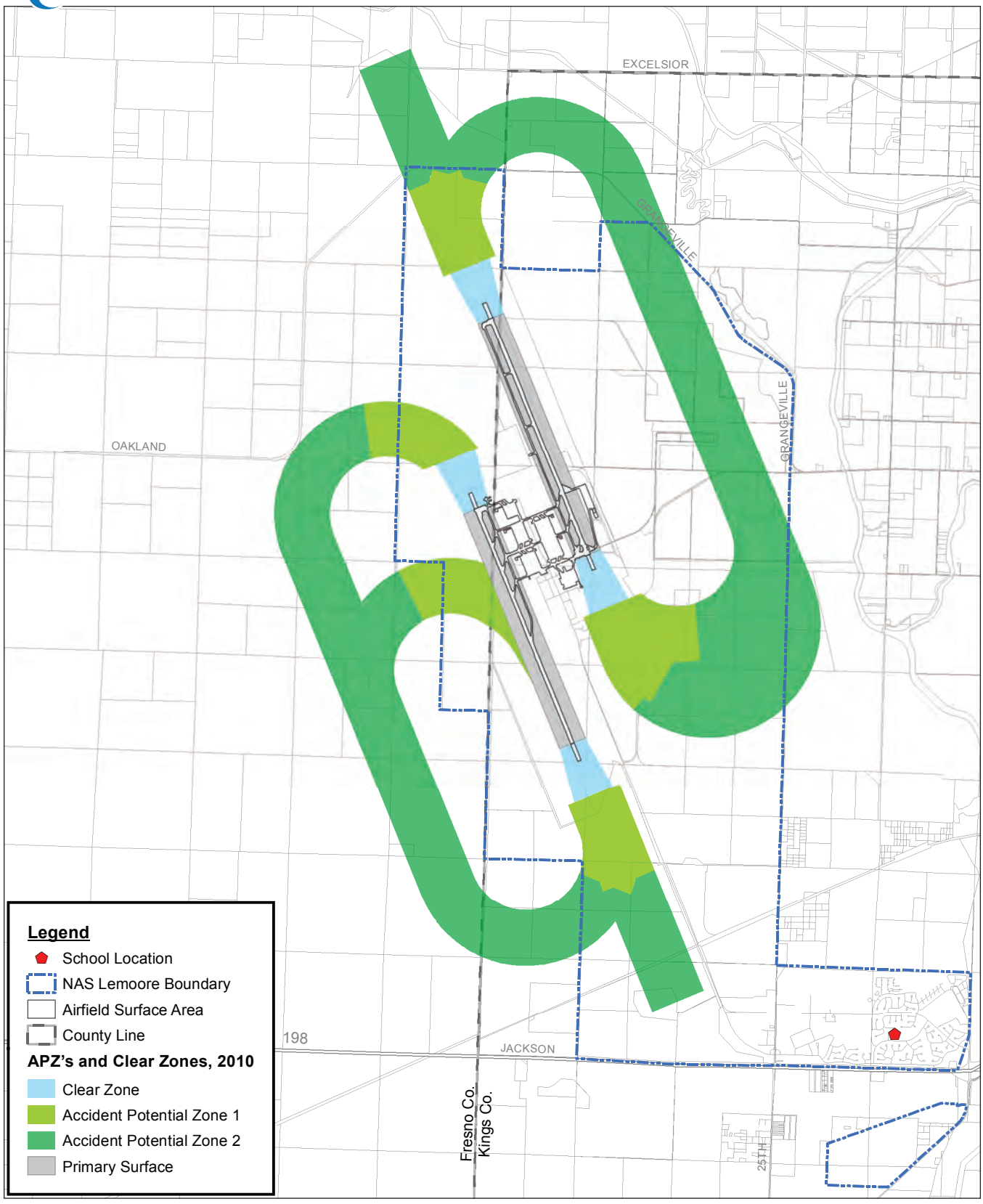
**Exhibit K2** depicts the Accident Potential Zones from the *Air Installations Compatible Use Zones Report, Naval Air Station, Lemoore, California*. Compatibility criteria for these zones can be found in **Table K2**, Land Use Compatibility Recommendations, which is included at the end of this appendix.

## *NOISE*

**Exhibit K3** depicts the noise exposure contours from the *Air Installations Compatible Use Zones Report, Naval Air Station, Lemoore, California*. Compatibility criteria for these zones can be found in **Table K2**, Land Use Compatibility Recommendations, which is included at the end of this appendix.

## *AIRSPACE*

**Exhibit K4** depicts the Imaginary Surfaces from the *Air Installations Compatible Use Zones Report, Naval Air Station, Lemoore, California*. As outlined in the report, these areas must remain free of obstructions to ensure safe flight approaches, departures, and patterns. Obstructions may include natural terrain and manmade features, such as buildings, towers, poles, and other vertical obstructions to airspace navigation.




Source: 2010 AICUZ APZs, Nas Lemoore
Ecology & Environment, Inc.

**Exhibit K2**
**ACCIDENT POTENTIAL ZONES - NAS LEMOORE**

**Table 6-1**
**Land-Use Compatibility Recommendations**

| Land Use | | Accident Potential Zones[1] | | | Noise Levels | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | Noise Zone 2 | | Noise Zone 3 | |
| SLUCM No. | Name | Clear Zone | APZ 1 | APZ 2 | 65 to 70 DNL | 70 to 75 DNL | 75 to 80 DNL | 80 to 85 DNL |
| 10 | Residential | | | | | | | |
| 11 | Household units | NA | NA | NA | N[28] | N[28] | N | N |
| 11.11 | Single units; detached | N | N | Y[2] | N[28] | N[28] | N | N |
| 11.12 | Single units; semidetached | N | N | N | N[28] | N[28] | N | N |
| 11.13 | Single units; attached row | N | N | N | N[28] | N[28] | N | N |
| 11.21 | Two units; side-by-side | N | N | N | N[28] | N[28] | N | N |
| 11.22 | Two units; one above the other | N | N | N | N[28] | N[28] | N | N |
| 11.31 | Apartments; walk up | N | N | N | N[28] | N[28] | N | N |
| 11.32 | Apartments; elevator | N | N | N | N[28] | N[28] | N | N |
| 12 | Group quarters | N | N | N | N[28] | N[28] | N | N |
| 13 | Residential hotels | N | N | N | N[28] | N[28] | N | N |
| 14 | Mobile home parks or courts | N | N | N | N | N | N | N |
| 15 | Transient lodgings | N | N | N | N[28] | N[28] | N[28] | N |
| 16 | Other residential | N | N | N | N[28] | N[28] | N | N |
| 20 | Manufacturing[3] | | | | | | | |
| 21 | Food and kindred products; manufacturing | N | N | Y[4] | Y | Y[29] | Y[30] | Y[31] |
| 22 | Textile mill products; manufacturing | N | N | Y[4] | Y | Y[29] | Y[30] | Y[31] |
| 23 | Apparel and other finished products; products made from fabrics, leather and similar materials; manufacturing | N | N | N | Y | Y[29] | Y[30] | Y[31] |
| 24 | Lumber and wood products (except furniture); manufacturing | N | Y[5] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 25 | Furniture and fixtures; manufacturing | N | Y[5] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 26 | Paper and allied products; manufacturing | N | Y[5] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 27 | Printing, publishing, and allied industries | N | Y[5] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 28 | Chemicals and allied products; manufacturing | N | N | N | Y | Y[29] | Y[30] | Y[31] |
| 29 | Petroleum refining and related industries | N | N | N | Y | Y[29] | Y[30] | Y[31] |
| 30 | Manufacturing (continued) [3] | | | | | | | |

**Table 6-1**
**Land-Use Compatibility Recommendations**

| Land Use | | Accident Potential Zones[1] | | | Noise Levels | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | Noise Zone 2 | | Noise Zone 3 | |
| SLUCM No. | Name | Clear Zone | APZ 1 | APZ 2 | 65 to 70 DNL | 70 to 75 DNL | 75 to 80 DNL | 80 to 85 DNL |
| 31 | Rubber and misc. plastic products; manufacturing | N | N | N | Y | Y[29] | Y[30] | Y[31] |
| 32 | Stone, clay, and glass products; manufacturing | N | N | Y[4] | Y | Y[29] | Y[30] | Y[31] |
| 33 | Primary metal products; manufacturing | N | N | Y[4] | Y | Y[29] | Y[30] | Y[31] |
| 34 | Fabricated metal products; manufacturing | N | N | Y[4] | Y | Y[29] | Y[30] | Y[31] |
| 35 | Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks | N | N | N | Y | 25 | 30 | N |
| 39 | Miscellaneous manufacturing | N | Y[5] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 40 | Transportation, communication and utilities[6, 7] | | | | | | | |
| 41 | Railroad, rapid rail transit, and street railway transportation | N | Y[5, 7] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 42 | Motor vehicle transportation | N | Y[5, 7] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 43 | Aircraft transportation | N | Y[5, 7] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 44 | Marine craft transportation | N | Y[5, 7] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 45 | Highway and street right-of-way | N | Y[5, 7] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 46 | Automobile parking | N | Y[5, 7] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 47 | Communication | N | Y[5, 7] | Y[5] | Y | 25[32] | 30[32] | N |
| 48 | Utilities | N | Y[5, 7] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 485 | Solid waste disposal (Landfills, incineration, etc.) | N | N | N | NA | NA | NA | NA |
| 49 | Other transportation, communication, and utilities | N | Y[7] | Y[7] | Y | 25[32] | 30[32] | N |
| 50 | Trade | | | | | | | |
| 51 | Wholesale trade | N | Y[5] | Y[5] | Y | Y[29] | Y[30] | Y[31] |
| 52 | Retail trade – building materials, hardware, and farm equipment | N | Y[8] | Y[8] | Y | Y[29] | Y[30] | Y[31] |
| 53 | Retail trade[10] – shopping centers, Home Improvement Store, Discount Club, Electronics Superstore | N | N | Y[9] | Y | 25 | 30 | N |
| 54 | Retail trade – food | N | N | Y[11] | Y | 25 | 30 | N |

| Table 6-1<br>Land-Use Compatibility Recommendations | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Land Use | | Accident Potential Zones[1] | | | Noise Levels | | | |
| | | | | | Noise Zone 2 | | Noise Zone 3 | |
| SLUCM No. | Name | Clear Zone | APZ 1 | APZ 2 | 65 to 70 DNL | 70 to 75 DNL | 75 to 80 DNL | 80 to 85 DNL |
| 55 | Retail trade – automotive, marine craft, aircraft, and accessories | N | Y[12] | Y[12] | Y | 25 | 30 | N |
| 56 | Retail trade – apparel and accessories | N | N | Y[13] | Y | 25 | 30 | N |
| 57 | Retail trade – furniture, home furnishings, and equipment | N | N | Y[13] | Y | 25 | 30 | N |
| 58 | Retail trade – eating and drinking establishments | N | N | N | Y | 25 | 30 | N |
| 59 | Other retail trade | N | N | Y[9] | Y | 25 | 30 | N |
| 60 | Services[14] | | | | | | | |
| 61 | Finance, insurance, and real estate services | N | N | Y[15] | Y | 25 | 30 | N |
| 62 | Personal services | N | N | Y[16] | Y | 25 | 30 | N |
| 62.4 | Cemeteries | N | Y[17] | Y[17] | Y | Y[29] | Y[30] | Y [31,37] |
| 63 | Business services (credit reporting; mail, stenographic reproduction; advertising) | N | N | Y[18] | Y | 25 | 30 | N |
| 63.7 | Warehousing and storage services | N | Y[19] | Y[19] | Y | Y[29] | Y[30] | Y[31] |
| 64 | Repair services | N | Y[20] | Y[20] | Y | Y[29] | Y[30] | Y[31] |
| 65 | Professional services | N | N | Y[18] | Y | 25 | 30 | N |
| 65.1 | Hospitals, other medical facilities | N | N | N | 25 | 30 | N | N |
| 65.16 | Nursing homes | N | N | N | N[28] | N[28] | N | N |
| 66 | Contract construction services | N | Y[20] | Y[20] | Y | 25 | 30 | N |
| 67 | Governmental services | N | N | Y[11] | Y[28] | 25 | 30 | N |
| 68 | Educational services | N | N | N | 25 | 30 | N | N |
| 69 | Miscellaneous | N | N | Y[18] | Y | 25 | 30 | N |
| 70 | Cultural, entertainment and recreational | | | | | | | |
| 71 | Cultural activities (& churches) | N | N | N | 25 | 30 | N | N |
| 71.2 | Nature exhibits | N | Y[21] | Y[21] | Y[28] | N | N | N |
| 72 | Public assembly | N | N | N | Y | N | N | N |
| 72.1 | Auditoriums, concert halls | N | N | N | 25 | 30 | N | N |

**Table 6-1**
**Land-Use Compatibility Recommendations**

| Land Use | | Accident Potential Zones[1] | | | Noise Levels | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | Noise Zone 2 | | Noise Zone 3 | |
| SLUCM No. | Name | Clear Zone | APZ 1 | APZ 2 | 65 to 70 DNL | 70 to 75 DNL | 75 to 80 DNL | 80 to 85 DNL |
| 72.11 | Outdoor music shells, amphitheaters | N | N | N | N | N | N | N |
| 72.2 | Outdoor sports arenas, spectator sports | N | N | N | Y[33] | Y[33] | N | N |
| 73 | Amusements- fairgrounds, miniature golf, driving ranges; amusement parks, etc. | N | N | Y | Y | Y | N | N |
| 74 | Recreational activities (including golf courses, riding stables, water recreation) | N | Y[20, 21] | Y[20, 21] | Y[28] | 25 | 30 | N |
| 75 | Resorts and group camps | N | N | N | Y[28] | Y[28] | N | N |
| 76 | Parks | N | Y[20, 21] | Y[20, 21] | Y[28] | Y[28] | N | N |
| 79 | Other cultural, entertainment and recreation | N | Y[17, 20] | Y[17, 20] | Y[28] | Y[28] | N | N |
| 80 | Resource production and extraction | | | | | | | |
| 81 | Agriculture (except livestock) | Y[6] | Y[22] | Y[22] | Y[34] | Y[35] | Y[36] | Y[36, 37] |
| 81.5, 81.7 | Livestock farming and breeding | N | Y[22, 23] | Y[22, 23] | Y[34] | Y[35] | N | N |
| 82 | Agricultural related activities | N | Y[22, 24] | Y[22, 24] | Y[34] | Y[35] | Y[36] | Y[36, 37] |
| 83 | Forestry activities[25] | N | Y[24] | Y[24] | Y[34] | Y[35] | Y[36] | Y[36, 37] |
| 84 | Fishing activities[26] | N[26] | Y[24] | Y[24] | Y | Y | Y | Y |
| 85 | Mining activities | N | Y[24] | Y[24] | Y | Y | Y | Y |
| 89 | Other resource production and extraction | N | Y[24] | Y[24] | Y | Y | Y | Y |
| 90 | Other | | | | | | | |
| 91 | Undeveloped Land | Y | Y | Y | NA | NA | NA | NA |
| 93 | Water Areas | N[27] | N[27] | N[27] | NA | NA | NA | NA |

Adapted from OPNAVINST 11010.36C (U.S. Department of the Navy 2008).

Key:
Y (Yes) = Land use and related structures compatible without restrictions.
N (No) = Land use and related structures are not compatible and should be prohibited.
$Y^x$ (Yes with restrictions) = The land use and related structures are generally compatible. However, see notes indicated by superscript.
$N^x$ (No with restrictions) = The land use and related structures are generally incompatible. However, see notes indicated by superscript.
SLUCM = Standard Land Use Coding Manual.
NLR (Noise Level Reduction) = Noise Level Reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure.
DNL =Day-night average sound level.
NA = Not Applicable (no data available for that category).

**Table 6-1**
**Land-Use Compatibility Recommendations**

| Land Use | | Accident Potential Zones[1] | | | Noise Levels | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | Noise Zone 2 | | Noise Zone 3 | |
| SLUCM No. | Name | Clear Zone | APZ 1 | APZ 2 | 65 to 70 DNL | 70 to 75 DNL | 75 to 80 DNL | 80 to 85 DNL |

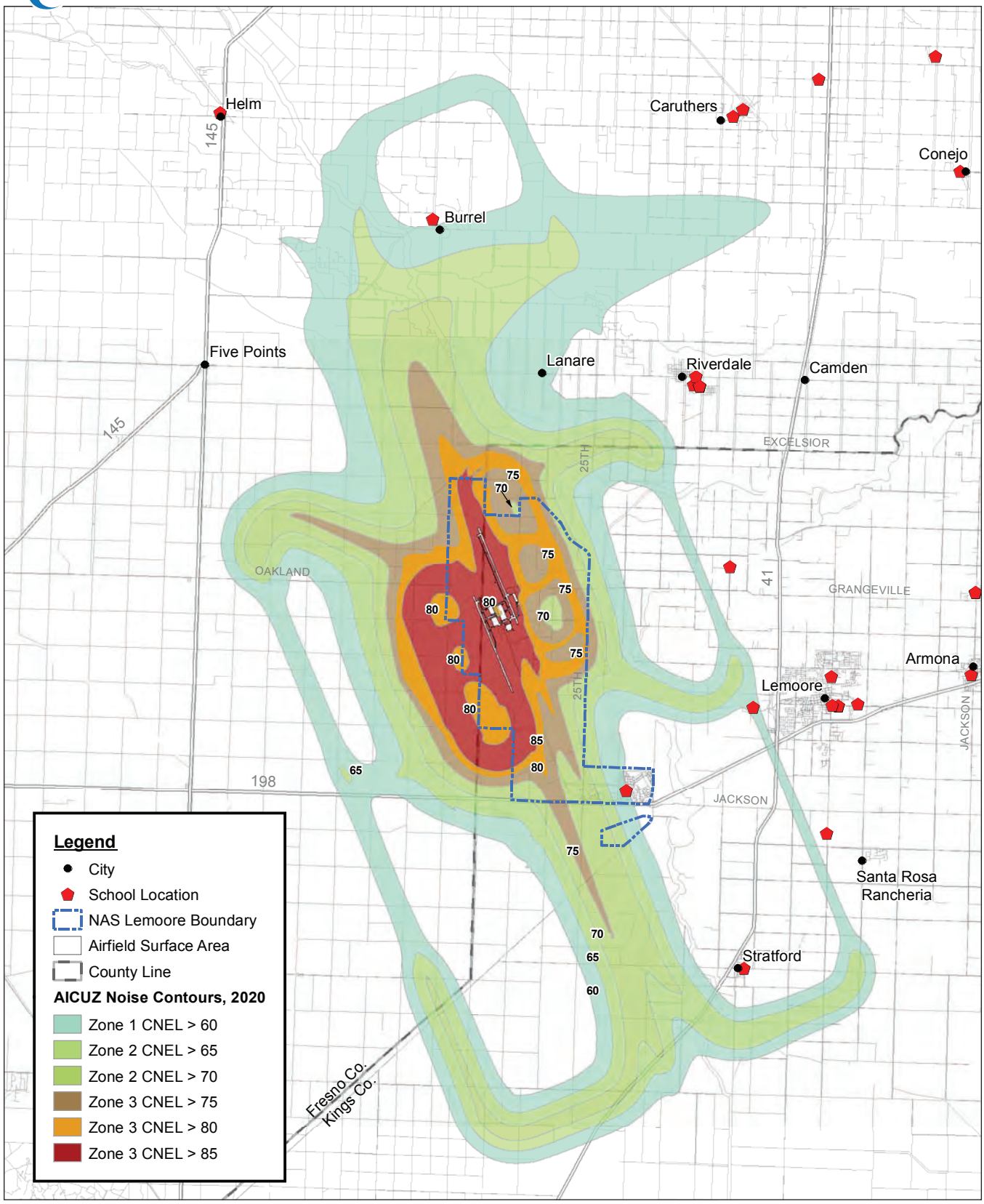
25, 30, or 35 = Land use and related structures generally compatible; measures to achieve NLR of 25, 30, or 35 must be incorporated into design and construction of structure.

Notes:

1. A "Yes" or a "No" designation for compatible land use is to be used only for general comparison. Within each, uses exist where further evaluation may be needed in each category as to whether it is clearly compatible, normally compatible, or not compatible due to the variation of densities of people and structures. In order to assist installations and local governments, general suggestions as to FARs are provided as a guide to densities in some categories. In general, land-use restrictions which limit commercial, services, or industrial buildings or structure occupants to 25 per acre in APZ 1 and 50 per acre in APZ 2 are the range of occupancy levels, including employees, considered to be low density. Outside events should normally be limited to assemblies of not more than 25 people per acre in APZ 1, and Maximum (MAX) assemblies of 50 people per acre in APZ 2.
2. The suggested maximum density for detached single-family housing is 1 to 2 dwelling units per acre (Du/Ac). In a Planned Unit Development (PUD) of single-family detached units where clustered housing development results in large open areas, this density could possibly be increased, provided the amount of surface area covered by structures does not exceed 20 % of the PUD total area. PUD encourages clustered development that leaves large open areas.
3. Other factors to be considered: Labor intensity, structural coverage, explosive characteristics, air pollution, electronic interference with aircraft, height of structures, and potential glare to pilots.
4. Maximum FAR of 0.56 in APZ 2.
5. Maximum FAR of 0.28 in APZ 1 and 0.56 in APZ 2.
6. No structures (except airfield lighting), buildings, or aboveground utility/communications lines should normally be located in clear zone areas on or off the installation. The clear zone is subject to severe restrictions. See UFC 3-260-01 "Airfield and Heliport Planning & Design" dated 10 November 2001 for specific design details.
7. No passenger terminals and no major aboveground transmission lines in APZ 1.
8. Within SLUCM Code 52, Max FARs for lumber yards (SLUCM Code 521) are 0.20 in APZ 1 and 0.40 in APZ 2. For hardware/paint and farm equipment stores, SLUCM Code 525, the Max FARs are 0.12 in APZ 1 and 0.24 in APZ 2.
9. Maximum FAR of 0.16 in APZ 2.
10. A shopping center is an integrated group of commercial establishments that is planned, developed, owned, or managed as a unit. Shopping center types include strip, neighborhood, community, regional, and super regional facilities anchored by small businesses, supermarket or drug store, discount retailer, department store, or several department stores, respectively. Included in this category are such uses as big box discount and electronics superstores. The Max recommended FAR for SLUCM 53 should be applied to the gross leasable area of the shopping center rather then attempting to use other recommended FARs listed in Table 2 under "Retail" or "Trade."
11. Maximum FAR of 0.24 in APZ 2.
12. Maximum FAR of 0.14 in APZ 1 and 0.28 in APZ 2.
13. Maximum FAR of 0.28 in APZ 2.
14. Low intensity office uses only. Accessory uses such as meeting places, auditoriums, etc., are not recommended.
15. Maximum FAR of 0.22 for "General Office/Office park" In APZ 2.
16. Office uses only. Maximum FAR of 0.22 in APZ 2.
17. No chapels are allowed within APZ 1 or APZ 2.
18. Maximum FAR of 0.22 in APZ 2.
19. Maximum FAR of 1.0 in APZ 1 and 2.0 in APZ 2.
20. Maximum FAR of 0.11 in APZ 1 and 0.22 in APZ 2.
21. Facilities must be low intensity and provide no tot lots, etc. Facilities such as clubhouses, meeting places, auditoriums, large classes, etc., are not recommended.
22. Includes livestock grazing but excludes feedlots and intensive animal husbandry. Activities that attract concentrations of birds creating a hazard to aircraft operations should be excluded.
23. Includes feedlots and intensive animal husbandry.
24. Maximum FAR of 0.28 in APZ 1 and 0.56 in APZ 2. No activity that produces smoke or glare or involves explosives.
25. Lumber and timber products removed due to establishment, expansion, or maintenance of clear zones will be disposed of in accordance with appropriate DoD Natural Resources Instructions.
26. Controlled hunting and fishing may be permitted for the purpose of wildlife management.

| Table 6-1<br>Land-Use Compatibility Recommendations | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Land Use | | Accident Potential Zones[1] | | | Noise Levels | | | |
| | | | | | Noise Zone 2 | | Noise Zone 3 | |
| SLUCM No. | Name | Clear Zone | APZ 1 | APZ 2 | 65 to 70 DNL | 70 to 75 DNL | 75 to 80 DNL | 80 to 85 DNL |

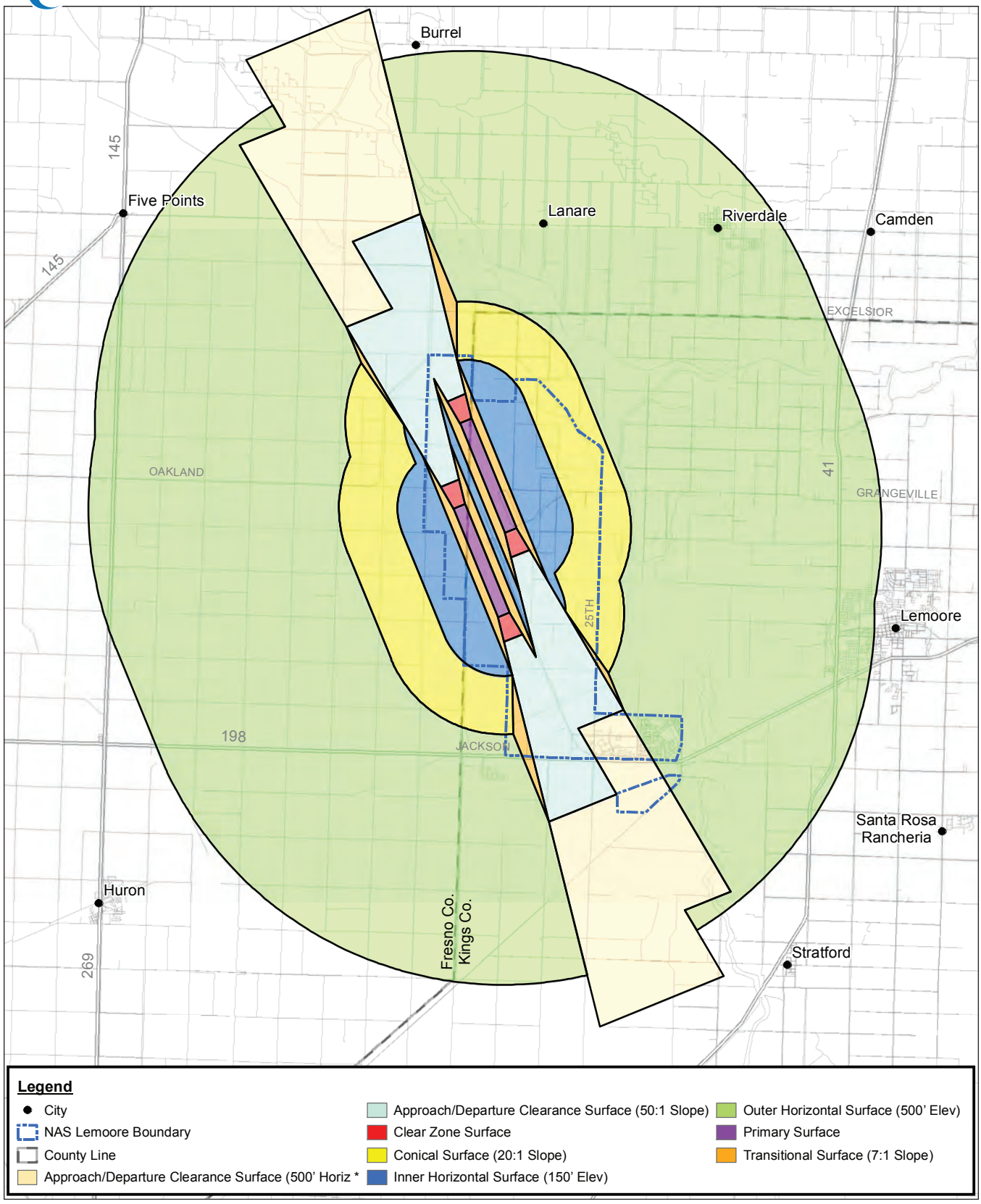
27. Naturally occurring water features (e.g., rivers, lakes, streams, wetlands) are compatible.
28. a. Although local conditions regarding the need for housing may require residential use in these zones, residential use is discouraged in DNL 65-69 and strongly discouraged in DNL 70-74. The absence of viable alternative development options should be determined and an evaluation should be conducted locally prior to approvals indicating that a demonstrated community need for the residential use would not be met if development were prohibited in these zones.
    b. Where the community determines that residential uses must be allowed, measures to achieve outdoor to indoor NLR of at least 25 dB in DNL 65-69 and NLR of 30 dB DNL 70-74 should be incorporated into building codes and be in individual approvals; for transient housing a NLR of at least 35 dB should be incorporated in DNL 75-79.
    c. Normal permanent construction can be expected to provide an NLR of 20 dB; thus, the reduction requirements are often stated as 5, 10, or 15 dB over standard construction and normally assume mechanical ventilation, upgraded sound transmission class ratings in windows and doors and closed windows year round. Additional consideration should be given to modifying NLR levels based on peak noise levels or vibrations.
    d. NLR criteria will not eliminate outdoor noise problems. However, building location and site planning, design, and use of berms and barriers can help mitigate outdoor exposure, particularly from ground level sources. Measures that reduce noise at a site should be used wherever practical in preference to measures which only protect interior spaces.
29. Measures to achieve an NLR of 25 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low.
30. Measures to achieve an NLR of 30 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low.
31. Measures to achieve an NLR of 35 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low.
32. If the project or proposed development is noise sensitive, use indicated NLR; if not, land use is compatible without NLR.
33. Land use compatible provided special sound reinforcement systems are installed.
34. Residential buildings require an NLR of 25.
35. Residential buildings require an NLR of 30.
36. Residential buildings not permitted.
37. Land-use not recommended, but if the community decides use is necessary, hearing protection devices should be worn.




0 1 2 4 6 8
Miles
Scale 1:250,000

Source: 2020 Prospective AICUZ APZs Noise Contours, Nas Lemoore Ecology & Environment, Inc.

**Exhibit K3**
**NOISE EXPOSURE CONTOURS - NAS LEMOORE**



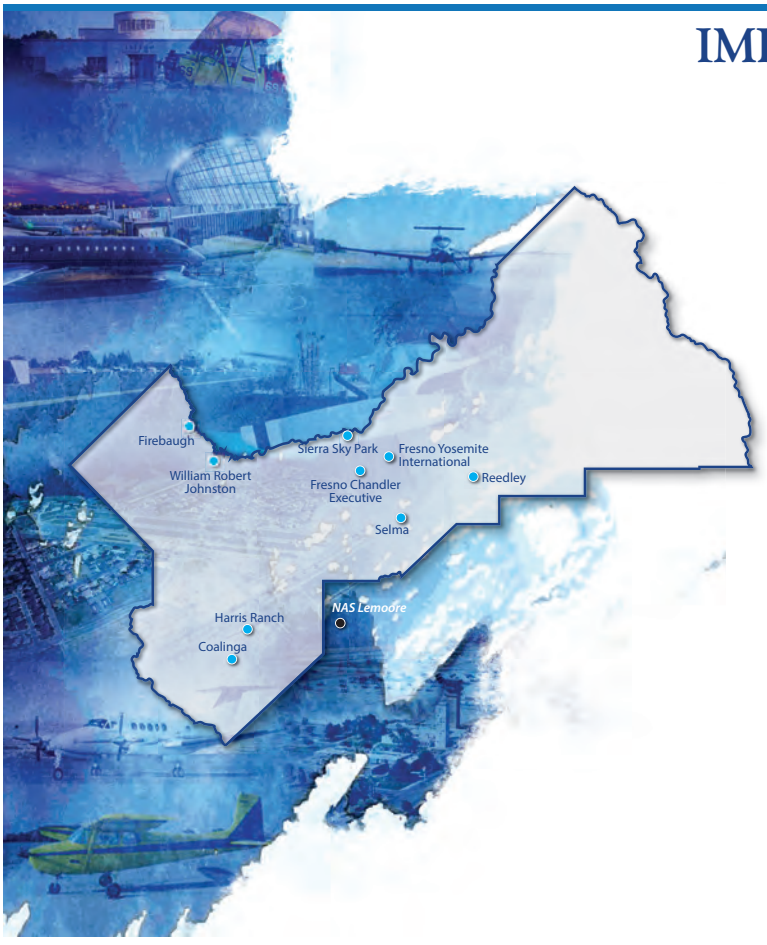

0 0.5 1 2 3 4 5 6
Miles
Scale 1:200,000

Source: Imaginary Surfaces, Nas Lemoore
Ecology & Environment, Inc.

Fresno Council
of Governments

# Appendix L

# IMPLEMENTATION MATERIALS



## Appendix L: Implementation Materials

This appendix includes the following materials to aid implementation of the *Airport Land Use Compatibility Plan*:

- Application for Major Land Use Action Review
- Sample avigation easement
- Sample Deed Notice
- Guidance for Calculating Land Use Intensity
- General Plan Consistency Checklist

Additional information regarding this topic can be found on the Caltrans Division of Aeronautics website: http://www.dot.ca.gov/aeronaut/index.html

# Application for Major Land Use Action Review

# Sample Avigation Easement

This indenture made this _____day of _____, 20___, between_____ hereinafter 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 hereinafter 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-of-way, 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 }

ss

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

Source: *California Airport Land Use Planning Handbook* (October 2011)

# Sample Deed Notice

A statement similar to the following should be included on the deed for any real property subject to the deed notice requirements set forth in the [**Fresno County**] *Airport Land Use Compatibility Plan*. Such notice should be recorded by the county of [**Fresno**]. Also, this deed notice should be included on any parcel map, tentative map, or final map for subdivision approval.

The [**Fresno County**] *Airport Land Use Compatibility Plan* and [**Insert County/City name**] Ordinance (Ordinance No. _____) identify a [**Insert Airport name**] Airport Influence Area. Properties within this area are routinely subject to overflights by aircraft using this public-use airport and, as a result, residents may experience inconvenience, annoyance, or discomfort arising from the noise of such operations. State law (Public Utilities Code Section 21670 et seq.) establishes the importance of public-use airports to protection of the public interest of the people of the state of California. Residents of property near such airports should therefore be prepared to accept the inconvenience, annoyance, or discomfort from normal aircraft operations. Residents also should be aware that the current volume of aircraft activity may increase in the future in response to **[Fresno]** County population and economic growth. Any subsequent deed conveying this parcel or subdivisions thereof shall contain a statement in substantially this form.

Source: *California Airport Land Use Planning Handbook* (October 2011)

# Guidance for Calculating Land Use Intensity

Following is guidance on how to calculate the intensity of land uses (the number of people-per-acre). The most difficult part about determining the intensity of a land use 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:

- **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 **Table L1** 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 number of 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 percent 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.

- **Parking Ordinance**- The number of people present in a given area can be calculated based upon the number of parking spaces provided. Traffic studies can be used to develop an assumption regarding the number of people per vehicle. 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 upon access by vehicles. 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.

- **Survey of Similar Uses**- 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.

**TABLE L1**
**Maximum Floor Area Allowances Per Occupant**

| Function of Space | Floor Area In Sq. Ft. Per Occupant |
|---|---|
| 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) | 7 net |
| Standing space | 5 net |
| Unconcentrated (tables and chairs) | 15 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 |
| Daycare | 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 areas | 100 gross |
| Sleeping areas | 120 gross |
| Kitchens, commercial | 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 |
| For SI: 1 square foot = 0.0929 $m^2$. | |

**Example:**

***Proposed Development:*** Single-floor furniture store containing 20,000 sq. ft.

***A. Calculation Based on Parking Space Requirements***

Assume that local codes require 1 parking space per 1,500 square feet of use area for a furniture store. Next, assume 1.5 people per automobile for this type of use.

The usage intensity would be:

1) 20,000 sq. ft. bldg. / 1,500 sq. ft. (1.0 parking space per 1,500 sq. ft.) = 13 required parking spaces.

2) 13 parking spaces x 1.5 people per space = 20 people maximum on-site.

3) 20,000 sq. ft. bldg. footprint /43,560 sq. ft. per acre = 0.46 acre bldg. footprint.

4) 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:

   Building footprint < 1.0 acre; therefore, maximum people in 1 acre = bldg. occupancy = 20 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 percent retail sales floor (at 30 square feet per occupant) and 50 percent warehouse (at 500 square feet per occupant). Usage intensities would, therefore, be estimated as follows:

1) 10,000 sq. ft. retail floor area / 30 sq. ft. per occupant = 333 people maximum occupancy in retail area

2) 10,000 sq. ft. warehouse floor area / 500 sq. ft. per occupant = 20 people maximum occupancy in warehouse area

3) Maximum occupancy under CBC assumptions = 333 + 20 = 353 people

4) Assuming typical peak occupancy is 50 percent of CBC numbers = 177 people maximum expected at any one time

The two methods produce very different results. The occupancy area estimate of 30 square feet per person is undoubtedly high for a furniture store even after the 50 percent adjustment. On the other hand, the 20 people-per-acre estimate using the parking requirement methodology appears low, but it is probably closer to being realistic.

# GENERAL PLAN CONSISTENCY CHECKLIST

This checklist is intended to assist local agencies with modifications necessary to make their local plans and other local policies consistent with the ALUCP. It is also designed to facilitate Airport Land Use Commission reviews of these local plans and policies.

**General Plan Document**

The following items typically appear directly in a general plan document. Amendment of the general plan will be required if there are any conflicts with the ALUCP

| General Plan Item | Reference |
|---|---|
| *Land Use Map*—No direct conflicts should exist between proposed new land uses indicated on a general plan land use map and the ALUC land use compatibility criteria. | |
| Residential densities (dwelling units per acre) should not exceed the set limits. | |
| Proposed nonresidential development needs to be assessed with respect to applicable intensity limits. | |
| No new land uses of a type listed as specifically prohibited should be shown within affected areas. | |
| *Noise Element*—General plan noise elements typically include criteria indicating the maximum noise exposure for which residential development is normally acceptable. This limit must be made consistent with the equivalent ALUCP criteria. Note, however, that a general plan may establish a different limit with respect to aviation-related noise than for noise from other sources (this may be appropriate in that aviation-related noise is sometimes judged to be more objectionable than other types of equally loud noises). | |

**Zoning or Other Policy Documents**

The following items need to be reflected either in the general plan or in a separate policy document such as a combining zone ordinance. If a separate policy document is adopted, modification of the general plan to achieve consistency with the ALUCP may not be required. Modifications would normally be needed only to eliminate any conflicting language which may be present and to make reference to the separate policy document.

| Policy Item | Reference |
|---|---|
| *Intensity Limitations on Nonresidential Uses*—ALUCPs may establish limits on the usage intensities of commercial, industrial, and other nonresidential land uses. This can be done by duplication of the performance-oriented criteria—specifically, the number of people per acre—indicated in the ALUCP. Alternatively, ALUCs may create a detailed list of land uses which are allowable and/or not allowable within each compatibility zone. For certain land uses, such a list may need to include limits on building sizes, floor area ratios, habitable floors, and/or other design parameters which are equivalent to the usage intensity criteria. | |
| *Identification of Prohibited Uses*—ALUCPs may prohibit schools, day care centers, assisted living centers, hospitals, and other uses within a majority of an airport's influence area. The facilities often are permitted or conditionally permitted uses within many commercial or industrial land use designations. | |
| *Open Land Requirements*—ALUCP requirements, if any, for assuring that a minimum amount of open land is preserved in the airport vicinity must be reflected in local policies. Normally, the locations which are intended to be maintained as open land would be identified on a map with the total acreage within each compatibility zone indicated. If some of the area included as open land is private property, then policies must be established which assure that the open land will continue to exist as the property develops. Policies specifying the required characteristics of eligible open land should also be established. | |
| *Infill Development*—If an ALUCP contains infill policies and a jurisdiction wishes to take advantage of them, the lands that meet the qualifications must be shown on a map. | |

| Policy Item *(Continued)* | Reference |
|---|---|
| *Height Limitations and Other Hazards to Flight*—To protect the airport airspace, limitations must be set on the height of structures and other objects near airports. These limitations are to be based upon FAR Part 77. Restrictions also must be established on other land use characteristics which can cause hazards to flight (specifically, visual or electronic interference with navigation and uses which attract birds). Note that many jurisdictions have already adopted an airport-related hazard and height limit zoning ordinance which, if up to date, will satisfy this consistency requirement. | |
| *Buyer Awareness Measures*—Besides disclosure rules already required by state law, as a condition for approval of development within certain compatibility zones, some ALUCPs require either dedication of an avigation easement to the airport proprietor or placement on deeds of a notice regarding airport impacts. If so, local agency policies must contain similar requirements. | |
| *Nonconforming Uses and Reconstruction*—Local agency policies regarding nonconforming uses and reconstruction must be equivalent to or more restrictive than those in the ALUCP, if any. | |

**REVIEW PROCEDURES**

In addition to incorporation of ALUCP compatibility criteria, local agency implementing documents must specify the manner in which development proposals will be reviewed for consistency with the compatibility criteria as outlined below.

*Actions Always Required to be Submitted for Airport Land Use Commission Review*—PUC Section 21676 identifies the types of actions that must be submitted for airport land use commission review. Local policies should either list these actions or, at a minimum, note the local agency's intent to comply with the state statute.

*Other Land Use Actions Potentially Subject to Airport Land Use Commission Review*—In addition to the above actions, ALUCPs may identify certain major land use actions for which referral to the Airport Land Use Commission is dependent upon agreement between the local agency and Airport Land Use Commission. If the local agency fully complies with all of the items in this general plan consistency check list or has taken the necessary steps to overrule the Airport Land Use Commission, then referral of the additional actions is voluntary. On the other hand, a local agency may elect not to incorporate all of the necessary compatibility criteria and review procedures into its own policies. In this case, referral of major land use actions to the Airport Land Use Commission is mandatory. Local policies should indicate the local agency's intentions in this regard.

*Process for Compatibility Reviews by Local Agencies*—If a local agency chooses to submit only the mandatory actions for Airport Land Use Commission review, then it must establish a policy indicating the procedures which will be used to assure that airport compatibility criteria are addressed during review of other projects. Possibilities include: a standard review procedure checklist which includes reference to compatibility criteria; use of a geographic information system to identify all parcels within the airport influence area; etc.

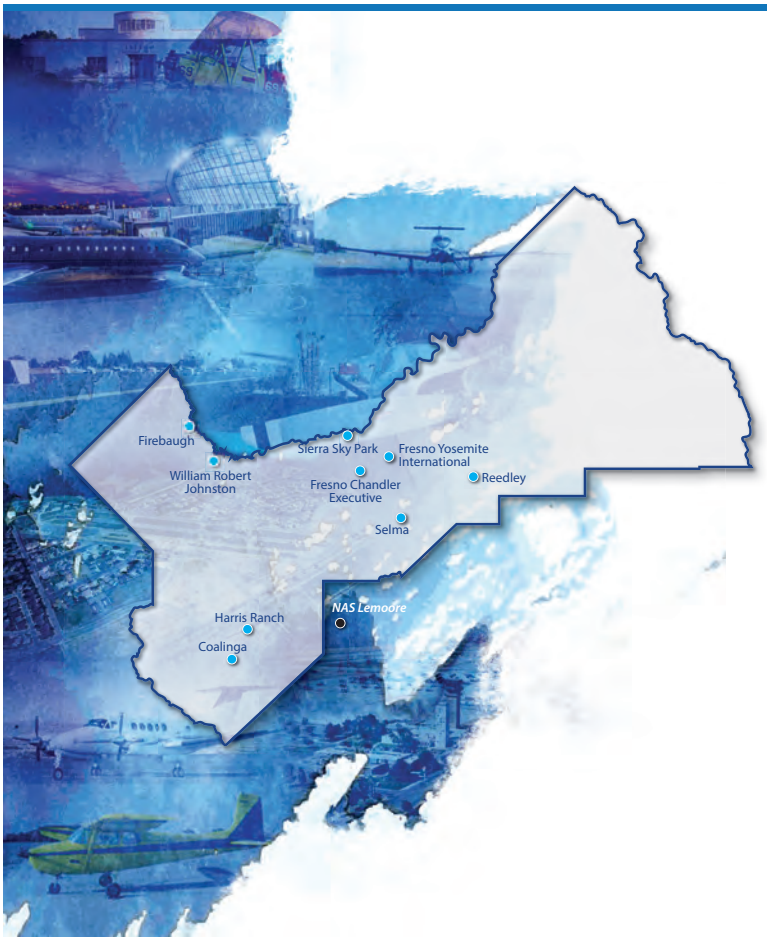
*Variance Procedures*—Local procedures for granting of variances to the zoning ordinance must make certain that any such variances do not result in a conflict with the compatibility criteria. Any variance that involves issues of noise, safety, airspace protection, or overflight compatibility as addressed in the ALUCP must be referred to the ALUC for review.

*Enforcement*—Policies must be established to assure compliance with compatibility criteria during the lifetime of the development. Enforcement procedures are especially necessary with regard to limitations on usage intensities and the heights of trees. An airport combining district zoning ordinance is one means of implementing enforcement requirements.

Fresno Council
of Governments

# Appendix M

# SUPPORTING MATERIALS



## Appendix M: Supporting Materials

This appendix includes the following supporting information related to airport land use compatibility planning:

- Safety Supporting Information from the *California Airport Land Use Compatibility Planning Handbook*.

- *California State Aeronautics Act* (PUC Sections 21670-21679.5) – which was most recently amended in August 2012.

- Code of Federal Regulations Title 14, Part 77 – Safe, Efficient Use, and Preservation of the Navigable Airspace

- Memorandum of Understanding transferring the staffing and administrative support functions of the Fresno County Airport Land Use Commission (ALUC) from the Fresno County Department of Public Works to the Fresno Council of Governments

Additional information regarding this topic can be found on the Caltrans Division of Aeronautics website: http://www.dot.ca.gov/aeronaut/index.html

The *California Airport Land Use Planning Handbook* (Handbook) provides guidance for establishing safety zones for airports. The example zones, as described in the Handbook and shown on **Exhibit M1**, are based on mathematical analyses of NTSB aircraft accident data and aircraft flight characteristics. The purpose of the zones is to delineate areas with relatively uniform risk levels. **Table M1** provides

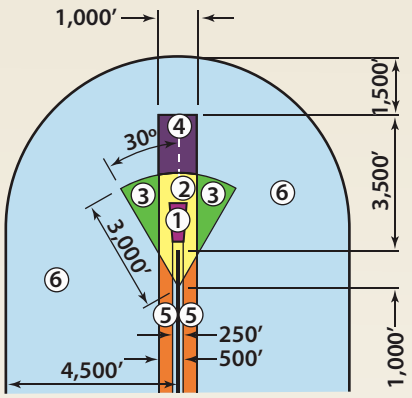
the Handbook's analysis of the safety zones, including the distribution of accident data points within each zone.

**TABLE M1**
**Analysis of Safety Zone Examples**

| | % of Points | Acres | % / Acres |
|---|---|---|---|
| Primary Surface | 15% | - | - |
| Zone 1: Runway Protection Zone | 21% | 49 | 0.40 |
| Zone 2: Inner Approach/Departure Zone | 10% | 101 | 0.10 |
| Zone 3: Inner Turning Zone | 7% | 151 | 0.05 |
| Zone 4: Outer Approach/Departure Zone | 5% | 69 | 0.07 |
| Zone 5: Sideline Zone | 5% | - | - |
| Zone 6: Traffic Pattern Zone | 23% | - | - |
| Total Zones 1-6 + Primary Surface | 85% | - | - |

Source: *California Airport Land Use Planning Handbook* (2011), Table 3B, Example 2

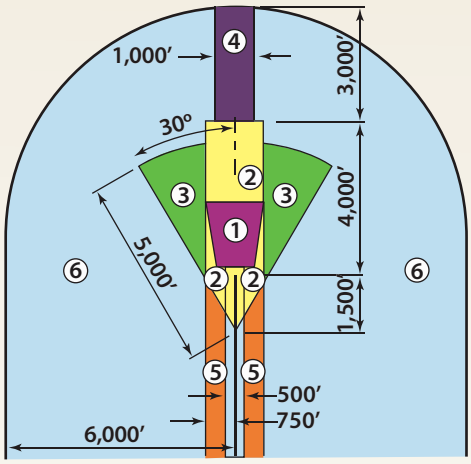
Safety zones at commercial service and general aviation airports can be differentiated by runway length and airport activity.




## SHORT GENERAL AVIATION RUNWAY

*Assumptions:*

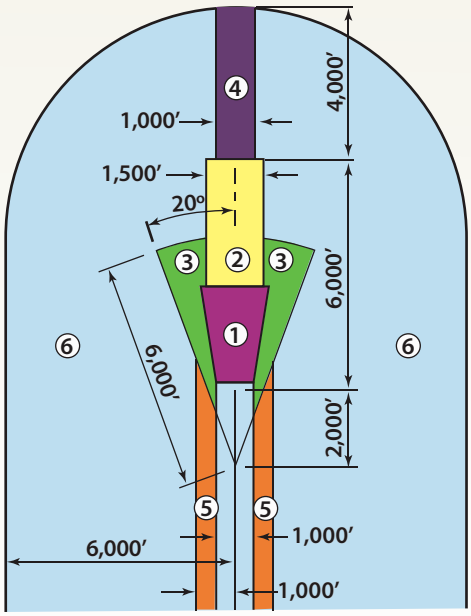
- Length less than 4,000 feet
- Approach visibility minimums ≥ 1 mile or visual approach only
- Zone 1 = 250′ x 450′ x 1,000′




## MEDIUM GENERAL AVIATION RUNWAY

*Assumptions:*

- Length 4,000 to 5,999 feet
- Approach visibility minimums ≥ ¾ mile and < 1 mile
- Zone 1 = 1,000′ x 1,510′ x 1,700




## LONG GENERAL AVIATION RUNWAY

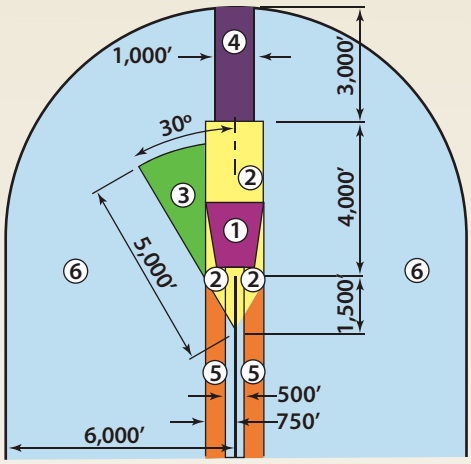
*Assumptions:*

- Length 6,000 or more
- Approach visibility minimums < ¾ mile
- Zone 1 = 1,000′ x 1,750′ x 2,500

### *LEGEND*

| | | |
|---|---|---|
| ① Runway Protection Zone | ③ Inner Turning Zone | ⑤ Sideline Zone |
| ② Inner Approach/Departure Zone | ④ Outer Approach/Departure Zone | ⑥ Traffic Pattern Zone |

***Source:*** California Airport Land Use Planning Handbook, 2011.

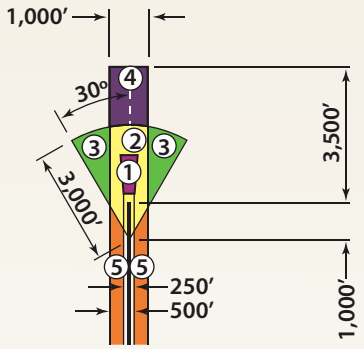



## GENERAL AVIATION RUNWAY WITH SINGLE-SIDED TRAFFIC PATTERN

***Assumptions:***

- **Length 4,000 to 5,999 feet**
- **Approach visibility minimums ≥ ¾ mile and < 1 mile**
- **Zone 1 = 1,000′ x 1,510′ x 1,700**

See Note.




## LOW ACTIVITY GENERAL AVIATION RUNWAY

***Assumptions:***

- **Less than 2,000 takeoffs and landings per year at individual runway end.**
- **Length less than 4,000 feet**
- **Approach visibility minimums ≥ 1 mile or visual approach only**

See Note.

Note:
RPZ (Zone 1) size in each example is as indicated by FAA criteria for the approach type assumed. Adjustment may be necessary if the Approach type differs.

These examples are intended to provide general guidance for establishment of airport safety compatibility zones. They do not represent California Department of Transportation standards of policy.

### *LEGEND*

| | | |
|---|---|---|
| ① Runway Protection Zone | ③ Inner Turning Zone | ⑤ Sideline Zone |
| ② Inner Approach/Departure Zone | ④ Outer Approach/Departure Zone | ⑥ Traffic Pattern Zone |

***Source:*** California Airport Land Use Planning Handbook, 2011.

California Public Utilities Code
Section 21001 et seq.
relating to the

# State Aeronautics Act

Prepared by
California Department of Transportation
Division of Aeronautics
Sacramento, CA

**August 2015**

**Gary Cathey**
**Division Chief**

## About this booklet

The law contained herein was copied from www.leginfo.ca.gov, a website maintained by the Legislative Counsel of California. We periodically update this booklet as changes are made to the State Aeronautics Act and at the Counsel's website. You can view the text of the State Aeronautics Act online by opening the www.leginfo.ca.gov homepage, selecting "California Law" and searching within the Public Utilities Code.

This booklet contains one new section since its last update in February 2013:

- Section 21602 Amended by Stats.2014, c. 27 (S.B.853), § 1, eff. June 20, 2014

California Department of Transportation
Division of Aeronautics
1120 N Street, MS 40
Sacramento, CA 95814
http://www.dot.ca.gov/hq/planning/aeronaut/index.htm

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# CALIFORNIA PUBLIC UTILITIES CODE

**Section 21001 et seq.**
**relating to the**
**State Aeronautics Act**

## Chapter 1. General Provisions and Definitions



## Chapter 2. Department of Transportation and State Aeronautics Board

### Article 1. Department of Transportation



### Article 1.5. State Aeronautics Board

## Article 2. Powers and Duties



## Chapter 3. Regulation of Aeronautics

## Chapter 3.7. Wire Strike Education and Prevention



## Chapter 4. Airports and Air Navigation Facilities

### Article 1. Assistance to Political Subdivisions



### Article 2. State Airports and Air Navigation Facilities



### Article 2.5. Non-Public Use Airports



### Article 2.6. Hazard Elimination; Flight Disturbance

## Article 2.7. Regulation of Obstructions



## Article 3. Regulation of Airports



## Article 3.5. Airport Land Use Commission

**Article 4. Aeronautics Fund**



**Article 4.5. Airport Facilities and Concessions**

**Article 5. Los Angeles International Airport Relocation and Development**



**Chapter 5. Proceedings**



**Chapter 6. Airport Planning**



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# AERONAUTICS LAW
# STATE AERONAUTICS ACT
# PUBLIC UTILITIES CODE

## Chapter 1. General Provisions and Definitions

### Title of Part
21001. This part may be cited as the "State Aeronautics Act."

### Purpose
21002. The purpose of this part is to further and protect the public interest in aeronautics and aeronautical progress by the following means:

(a) Encouraging the development of private flying and the general use of air transportation.

(b) Fostering and promoting safety in aeronautics.

(c) Effecting uniformity of the laws and regulations relating to aeronautics consistent with federal aeronautics laws and regulations.

(d) Granting to a state agency powers, and imposing upon it duties, so that the state may properly perform its functions relative to aeronautics and effectively exercise its jurisdiction over persons and property, assist in the development of a statewide system of airports, encourage the flow of private capital into aviation facilities, and cooperate with and assist political subdivisions and others engaged in aeronautics in the development and encouragement of aeronautics.

(e) Establishing only those regulations which are essential and clearly within the scope of the authority granted by the Legislature, in order that persons may engage in every phase of aeronautics with the least possible restriction consistent with the safety and the rights of others.

(f) Providing for cooperation with the federal authorities in the development of a national system of civil aviation and for coordination of the aeronautical activities of those authorities and the authorities of this state.

(g) Assuring that persons residing in the vicinity of airports are protected to the greatest possible extent against intrusions by unreasonable levels of aircraft noise.

(h) Fostering and promoting the development of a stable and efficient regional air carrier system to provide access for small and rural communities to the national air transportation system consistent with federal policies favoring deregulation.

(i) Developing, in cooperation with the private sector, airport management, local jurisdictions, federal authorities, and the general public, informational programs to increase the understanding of current air transportation issues including, but not limited to, aviation safety, planning, airport noise, airport development and management, and the role of aviation in the economic development of the state, as an integral part of the state's transportation system.

(j) Sponsoring or cosponsoring, with representatives of the aerospace and aviation industry, aviation educational and informational seminars which meet the needs of pilots and other members of the industry for current information on aviation safety, planning, and airport development and management.

### Definitions; Effect
21003. Unless the context otherwise requires, the definitions and general provisions set forth in this chapter govern the construction of this part.

### Public and Government Functions; Public Necessity
21004. The acquisition of any land or interest therein pursuant to this part, the planning, acquisition, establishment, construction, improvement, maintenance, equipment, and operation of airports and air navigation facilities, whether by the state separately or jointly with any political subdivision, and the exercise of any other powers granted to the department by this part are public and governmental functions, exercised for a public purpose, and are matters of public necessity. All land and other property and privileges acquired and used by or on behalf of the state pursuant to this part are acquired and used for public and governmental purposes as a matter of public necessity.

### Effect of Part on Zoning Regulations
21005. This part shall not be construed as limiting any power of the state or a political subdivision to regulate airport hazards by zoning.

## Effect of Chapter on Use of Helicopters

21006. This chapter or any other law shall not be construed as prohibiting, restricting, or permitting the prohibition of the operation or landing in populated areas of helicopters and similar aircraft capable of approximately vertical ascent and descent, subject to such reasonable rules affecting the public safety as the department may promulgate. The department shall adopt rules and regulations, effective January 1, 1989, for the conditions under which helicopters may make temporary use of a landing site.

## Department

21006.5. "Department" means the Department of Transportation.

## Aeronautics Commission; Division; Department

21007. Whenever the term "California Aeronautics Commission," "Division of Aeronautics," or "Department of Aeronautics" is used in any other law, it means the Department of Transportation.

## Director

21008. "Director" means the Director of Transportation. Any reference in any law or regulation to the Director of Aeronautics shall be deemed to refer to the Director of Transportation.

## Division

21008.3. "Division" means the Division of Aeronautics in the department.

## Commission

21008.5. "Commission" means the California Transportation Commission.

## Person

21009. "Person" means any individual, firm, partnership, corporation, limited liability company, company, association, joint stock association, or body politic; and includes any trustee, receiver, assignee, or other similar representative.

## Political Subdivision

21010. "Political subdivision" means any county, city, city and county, public corporation, district or other political entity or public corporation of this State.

## Aeronautics

21011. "Aeronautics" means:

(a) The science and art of flight, including transportation by aircraft.

(b) The operation, construction, repair, or maintenance of aircraft and aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes.

(c) The design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports or other air navigation facilities.

## Aircraft

21012. "Aircraft" means any manned contrivance used or designed for navigation of, or flight in, the air requiring certification and registration as prescribed by federal statute or regulation. Notwithstanding the foregoing provisions of this section, manned lighter-than-air balloons and ultralight vehicles as defined in the regulations of the Federal Aviation Administration (14 C.F.R. Part 103), whether or not certificated by the Federal Aviation Administration, shall not be considered to be aircraft for purposes of this part.

## Airport

21013. "Airport" means any area of land or water which is used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights of way, and all airport buildings and facilities located thereon.

### Air Navigation Facility
21014. "Air navigation facility" means any facility, other than facilities owned or operated by the United States, used, or available or designed for use, in aid of air navigation, including any structures, mechanisms, lights, beacons, markers, communicating systems, or other facilities used or useful as an aid, or constituting an advantage or convenience, to the safe taking off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport.

### Operation of Aircraft; Operate Aircraft
21015. "Operation of aircraft" or "operate aircraft" means the use, navigation, or piloting of aircraft in the air space over this State or upon any airport within this State.

### Airman
21016. "Airman" means any individual who engages, as the person in command, or as pilot, mechanic, or member of the crew, in the navigation of aircraft while under way, and any individual who is directly in charge of the inspection, maintenance, overhauling, or repair of aircraft engines, propellers, or appliances, and any individual who serves in the capacity of aircraft dispatcher, or air traffic control-tower operator. "Airman" does not include any individual employed outside the United States, or any individual employed by a manufacturer of aircraft, aircraft engines, propellers, or appliances to perform duties as inspector or mechanic in connection therewith, or any individual performing inspection or mechanical duties in connection with aircraft owned or operated by him.

### Airport Hazard
21017. "Airport hazard" means any structure, object of natural growth, or use of land, which obstructs the air space required for flight of aircraft in landing or taking off at an airport or which is otherwise hazardous to the landing or taking off.

### Airway
21018. "Airway" means a route in the navigable air space over the land or waters of this State, designated by proper authority as a route suitable for air navigation.

### Violations; Punishment
21019. Any person violating any of the provisions of this part, other than Section 21407.1, or any of the rules or orders issued under this part, is punishable by a fine of not more than one thousand dollars ($1,000) or by imprisonment of not more than six months, or both.

### Land
21020. "Land" includes tide and submerged lands or other lands subject to the public trust for commerce, navigation, or fisheries.

## Chapter 2. Department of Transportation and State Aeronautics Board

### Article 1. Department of Transportation

### Rules and Regulations
21204. The department may adopt, administer, and enforce rules and regulations for the administration of this part.

### Statement of Estimated Revenues; Budget
21206. The department shall prepare a statement of all estimated revenues of the Aeronautics Account in the State Transportation Fund and revenues available for local subventions from any other sources for the next succeeding fiscal year, together with a statement of proposed expenditures to be made to local agencies and the University of California during the next succeeding fiscal year, or obligations to be incurred in connection therewith.

The statement shall be included in the printed fiscal year budget submitted to the Legislature. Insofar as the matters to which it pertains, it shall constitute as submitted the budget submitted to the Department of Finance pursuant to Section 13320 of the Government Code, and, as to such matters, shall be administered by the Department of Finance as the fiscal year budget of the Department of Transportation under the provisions of this

section and of Article 2 (commencing with Section 13320) of Chapter 3 of Part 3 of Division 3 of Title 2 of the Government Code.

Any changes or modifications in the budget described in this section shall be approved by the Director of Finance.

In the event, during an annual period, the budgetary amount approved and allocated for any purpose exceeds the amount actually necessary therefor, with a resultant available surplus, such surplus may be allocated to any other purpose or supplemental project upon the written approval of the Director of Finance.

In administering the budget, the Director of Finance shall not limit expenditures or incurrence of obligations thereunder to quarterly, semiannual, or other periods of the fiscal year.

### Noise Mitigation Projects

21207. Whenever a political subdivision owning and operating an airport constructs or implements a noise mitigation project at the airport, including, but not limited to, the installation of noise monitoring equipment at any time after the project has been included within the aeronautics program in the state transportation improvement program and prior to funding of the project, the department shall, when funding for the project becomes available, reimburse the political subdivision for the eligible costs of the project, without interest, not to exceed the amount of the funds made available to the department or the political subdivision's actual eligible costs, whichever is lower. Reimbursement under this section shall be made only if the political subdivision completes the project to the standards approved by the department including, but not limited to, bidding and contracting procedures and the project is approved by the commission. This section does not apply to any project for which state funding is not specifically made available.

## Article 1.5. State Aeronautics Board

### State Aeronautics Board Abolished

21215. (a) The State Aeronautics Board is hereby abolished, and the California Transportation Commission succeeds to, and is vested with, all the duties, powers, purposes, responsibilities, and jurisdiction vested in the State Aeronautics Board.

(b) Any reference in any law or regulation to the State Aeronautics Board shall be deemed to refer to the California Transportation Commission.

(c) The California Transportation Commission shall have the possession and control of all licenses, permits, leases, agreements, contracts, orders, claims, judgments, records, papers, equipment, supplies, bonds, moneys, funds, appropriations, buildings, land and other property, real or personal, held for the benefit, use, or obligation of the State Aeronautics Board.

### Appeals

21216. Any person or entity injured or aggrieved by any procedure or action of the department with respect to aeronautics may appeal to the California Transportation Commission for relief, and the decision of the commission as to such matter shall, after hearing thereon, be conclusive, subject to such review as may be otherwise provided by law. This section shall not apply to any procedure or action for which a hearing pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code is specified in this part as the means for reviewing or finalizing the procedure or action.

## Article 2: Powers and Duties

### Recognition of Federal Authority; Intrastate Rates

21240. This state recognizes the authority of the federal government to regulate the operation of aircraft and to control the use of the airways, and nothing in this act shall be construed to give the department the power to so regulate and control safety factors in the operation of aircraft or to control use of the airways. This section does not affect the state's power to regulate the intrastate rates of common carriers by air, and such power is hereby reserved to the state.

### Encouragement of Aeronautics, Airports, and Air Navigation Facilities

21241. The department shall encourage, foster, and assist in the development of aeronautics in this state and encourage the establishment of airports and air navigation facilities. It shall cooperate with and assist the federal government, political subdivisions of this state, and others in the development of aeronautics, and shall seek to coordinate their aeronautical activities.

Political subdivisions may cooperate with the department in the development of aeronautics and aeronautics facilities in this state.

## Legislation; Representation of State

21242. The department may:

(a) Draft and recommend necessary legislation to advance the interest of the state in aeronautics.

(b) Represent the state in aeronautical matters before federal and other agencies.

(c) Participate as plaintiff or defendant or as intervenor on behalf of the state or any political subdivision or citizen in any controversy which involves the interest of the state in aeronautics.

(d) Assist political subdivisions and their law enforcement agencies in becoming acquainted with and enforcing the civil air regulations.

## Rules, Regulations, Procedures, and Standards; Classification of Airports

21243. The department may make and amend general or special rules, regulations, and procedures and establish minimum standards, consistent with and clearly within the scope of federal legislation governing aeronautics and the rules, regulations, and standards issued thereunder. The department may, by regulation, classify airports into several reasonable classes or groups according to their facilities and the types and number of aircraft which they are capable of handling and may make and amend rules, regulations, and procedures and establish minimum standards for each separate class or group.

## Temporary Rules, Regulations, Procedures, and Standards

21244. For the purpose of protecting and insuring the general public interest and safety and the safety of persons operating, using, or traveling in aircraft and developing aeronautics in this state, and after appropriate public hearings, the department may make and amend temporary general or special rules and procedures and establish temporary minimum standards consistent with this part as it deems necessary to administer this part. The department shall draft these temporary rules, procedures, and standards in the form of proposed aviation law and shall submit them to the next general session of the Legislature. These temporary rules, procedures, and standards shall not remain in effect beyond 90 days after the final adjournment of that session of the Legislature.

## Rules; Copies for Public Inspection

21245. The department shall keep on file with the Secretary of State, and at its principal office, a copy of all its rules for public inspection.

## Publication and Distribution of Orders, Rules, and Procedures

21246. The department shall provide for the publication and general distribution of all its orders, rules, and procedures having general effect.

## Contracts

21247. The department may enter into any contracts necessary to the execution of its powers under this part. All contracts made by the department, either as the agent of the state or as the agent of any political subdivision, shall be made pursuant to the laws of the state governing the making of like contracts. Where the planning, acquisition, construction, improvement, maintenance, or operation of any airport or air navigation facility is financed wholly or partially with federal money the department, as agent of the state or of any political subdivision, may let contracts in the manner prescribed by the federal authorities acting under the laws of the United States and any rules made thereunder.

## Joint Exercise of Powers

21248. The department may exercise any of its powers under this part jointly with any political subdivision, state agency, other states or their political subdivisions, or the United States.

## Conferences and Joint Hearings with Federal Agencies

21249. The department may confer or hold joint hearings with any federal agency in connection with any matter arising under this part or relating to the sound development of aeronautics.

## Cooperation with Federal Agencies

21250. The department may avail itself of the cooperation, services, records, and facilities of the federal agencies in the administration and enforcement of this part. It shall cooperate with and make available to the federal agencies, its services, records, and facilities, insofar as practicable.

## Administration

21251. In administering this part the department may use the facilities and services of other state agencies and political subdivisions to the utmost extent possible. These agencies and political subdivisions shall make available to the department their facilities and services.

## Enforcement

21252. (a) The department, its members, the director, officers and employees of the department, and every state and peace officer charged with the enforcement of state and subordinate laws or ordinances, may enforce and assist in the enforcement of this part, the rules and orders issued under this part, and all other laws of this state relating to aeronautics. In the enforcement of such rules, orders, and laws, the director, and such officers and employees as the director may designate, shall have the authority, as public officers, to arrest without a warrant, any person who, in his presence, has violated or as to whom there is probable cause to believe has violated any of such rules, orders, or laws.

In any case in which an arrest authorized by this subdivision is made for an offense declared to be a misdemeanor, and the person arrested does not demand to be taken before a magistrate, the arresting officer may, instead of taking such person before a magistrate, follow the procedure prescribed by Chapter 5C (commencing with Section 853.6) of Title 3 of Part 2 of the Penal Code. The provisions of such chapter shall thereafter apply with reference to any proceeding based upon the issuance of a citation pursuant to this authority.

(b) There shall be no civil liability on the part of and no cause of action shall arise against any person, acting pursuant to subdivision (a) and within the scope of his authority, for false arrest or false imprisonment arising out of any arrest which is lawful or which the arresting officer, at the time of such arrest, had reasonable cause to believe was lawful. No such officer shall be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

(c) The director, and such officers and employees as the director may designate, may serve all processes and notices throughout the state.

## Enforcement of Part; Injunction and Other Legal Process

21253. In the name of the state, the department may enforce this part and rules and orders issued under this part by injunction or other legal process in the courts of this state.

## Reports of Violations to Federal and Other State Agencies

21254. The department may report to the appropriate federal agencies and agencies of other states all proceedings instituted charging violations of Section 21407, and Sections 21409 to 21412, inclusive, and all penalties of which it has knowledge imposed upon airmen or the owners or operators of aircraft for violations of the law of this state relating to aeronautics or for violations of the rules or orders of the department.

## Reports from Federal and Other State Agencies

21255. The department may receive reports of penalties and other data from agencies of the federal government and other states, and may enter into agreements with these agencies governing the delivery, receipt, exchange, and use of reports and data. The department may make the reports and data of these agencies and of the courts of this state available to any court of this state and to any officer of the state or of any political subdivision authorized to enforce the aeronautics laws by Section 21252.

## Receipt and Disbursement of Funds

21256. The department may accept, receive, receipt for, disburse, and expend federal and other money, public or private, made available to accomplish in whole or in part any of the purposes of this part. All federal money accepted under this part shall be accepted and expended by the department upon the terms and conditions prescribed by the United States. In accepting federal money under this part, the department shall have the same authority to enter into contracts on behalf of the state as is granted to the department under Section 21603. The department shall deposit all money received under this section in the Special Deposit Fund in the State Treasury, to be disbursed or expended in accordance with the terms and conditions upon which it was made available.

### Ownership and Operation of Aircraft
21257. The department may own and operate aircraft for use in the furtherance of its duties, employ airmen and mechanics for proper operation and maintenance of the aircraft, and insure its employees against injury or death arising from aircraft accidents incurred in the performance of their assigned duties, within the limits of appropriations for these purposes.

### Department Responsibility
21258. The department shall represent the state and local agencies before the Civil Aeronautics Board and other federal agencies in all matters related to the Airline Deregulation Act of 1978 (P.L. 95-504, as amended) and the essential air service program created by that act. The department shall assist and cooperate with federal, state, and local agencies and private entities in the development of a stable and efficient regional air carrier system.

## Chapter 3. Regulation of Aeronautics

### Sovereignty
21401. Sovereignty in the space above the land and waters of this state rests in the state, except where granted to and assumed by the United States pursuant to a constitutional grant from the people of the state.

The operation of aircraft in such space is a privilege subject to the laws of this state.

### Ownership; Prohibited Use of Airspace
21402. The ownership of the space above the land and waters of this State is vested in the several owners of the surface beneath, subject to the right of flight described in Section 21403. No use shall be made of such airspace which would interfere with such right of flight; provided, that any use of property in conformity with an original zone of approach of an airport shall not be rendered unlawful by reason of a change in such zone of approach.

### Lawful Flight; Flight Within Airport Approach Zone
21403. (a) Flight in aircraft over the land and waters of this state is lawful, unless at altitudes below those prescribed by federal authority, or unless conducted so as to be imminently dangerous to persons or property lawfully on the land or water beneath. The landing of an aircraft on the land or waters of another, without his or her consent, is unlawful except in the case of a forced landing or pursuant to Section 21662.1. The owner, lessee, or operator of the aircraft is liable, as provided by law, for damages caused by a forced landing.

(b) The landing, takeoff, or taxiing of an aircraft on a public freeway, highway, road, or street is unlawful except in the following cases:

(1) A forced landing.

(2) A landing during a natural disaster or other public emergency if the landing has received prior approval from the public agency having primary jurisdiction over traffic upon the freeway, highway, road, or street.

(3) When the landing, takeoff, or taxiing has received prior approval from the public agency having primary jurisdiction over traffic upon the freeway, highway, road or street.

The prosecution bears the burden of proving that none of the exceptions apply to the act which is alleged to be unlawful.

(c) The right of flight in aircraft includes the right of safe access to public airports, which includes the right of flight within the zone of approach of any public airport without restriction or hazard. The zone of approach of an airport shall conform to the specifications of Part 77 of the Federal Aviation Regulations of the Federal Aviation Administration, Department of Transportation.

### Tort Liability; Injury or Death of Passengers
21404. Liability of the owner or pilot of an aircraft carrying passengers for injury or death to the passengers is determined by the rules of law applicable to torts on the land or waters of this state, arising out of similar relationships. Every owner of an aircraft is liable and responsible for death or injury to person or property resulting from a negligent or wrongful act or omission in the operation of the aircraft, in the business of the owner or otherwise, by any person using or operating the same with the permission, express or implied, of the owner.

### Limitation on Liability
21404.1. (a) The liability of an owner, bailee of an owner, or personal representative of a decedent imposed by Section 21404 and not arising through the relationship of principal and agent or master and servant is limited to the

amount of fifteen thousand dollars ($15,000) for the death of or injury to one person in any one accident and, subject to the limit as to one person, is limited to the amount of thirty thousand dollars ($30,000) for the death of or injury to more than one person in any one accident and is limited to the amount of five thousand dollars ($5,000) for damage to property of others in any one accident.

(b) An owner, bailee of an owner, or personal representative of a decedent is not liable under this section for damages imposed for the sake of example and by way of punishing the operator of the aircraft. Nothing in this subdivision makes an owner, bailee of an owner, or personal representative immune from liability for damages imposed for the sake of example and by way of punishing him for his own wrongful conduct.

## Tort Liability; Collision Damage

21405. The liability of the owner of one aircraft to the owner of another aircraft, or to operators or passengers on either aircraft, for damage caused by collision on land or in the air, is determined by the rules of law applicable to torts on land.

## Careless or Reckless Operation

21407. It is unlawful for any person to operate an aircraft in the air, or on the ground or water in a careless or reckless manner so as to endanger the life or property of another. In any proceeding charging operation of aircraft in violation of this section, the court in determining whether the operation was careless or reckless shall consider the standards for safe operation of aircraft prescribed by federal statutes or regulations governing aeronautics.

## Operation While Under the Influence

21407.1. (a) It is unlawful for any person, who is under the influence of an alcoholic beverage or any drug, or the combined influence of an alcoholic beverage and any drug, to operate an aircraft in the air, or on the ground or water, or to engage in parachuting for sport.

(b) No person shall operate an aircraft in the air or on the ground or water who has 0.04 percent or more, by weight, of alcohol in his or her blood.

## Consent to Chemical Testing

21407.2. (a) (1) (A) Any person who operates an aircraft in the air or on the ground or water is deemed to have given his or her consent to chemical testing of his or her blood or breath for the purpose of determining the alcoholic content of his or her blood, if lawfully arrested for any offense allegedly committed in violation of Section 21407.1 or if the officer requests chemical testing as part of any investigation of a suspected violation of state or local law. If a blood or breath test, or both, are unavailable, then paragraph (2) of subdivision (d) applies.

(B) Any person who operates an aircraft in the air or on the ground or water is deemed to have given his or her consent to chemical testing of his or her blood or urine for the purpose of determining the drug content of his or her blood, if lawfully arrested for any offense allegedly committed in violation of Section 21407.1 or if the officer requests chemical testing as part of an investigation of a suspected violation of state or local law.

(C) The testing shall be administered at the direction of a peace officer having reasonable cause to believe the person was operating an aircraft in violation of Section 21407.1 under either of the following conditions:

(i) The person is lawfully arrested.

(ii) The officer requests the person to submit to chemical testing as part of an investigation of a suspected violation of state or local law.

(D) The person shall be told that his or her failure to submit to, or the failure to complete, the required chemical testing may result in prohibition from operating an aircraft for not more than one year and, if the person is convicted of a violation of Section 21407.1, a fine, imprisonment, prohibition from operating an aircraft for not more than one year, or any combination thereof.

(2) (A) If the person is lawfully arrested for operating an aircraft under the influence of an alcoholic beverage, the person has the choice of whether the test shall be of his or her blood or breath, and the officer shall advise the person that he or she has that choice. If the person arrested either is incapable, or states that he or she is incapable, of completing the chosen test, the person shall submit to the remaining test. If a blood or breath test, or both, are unavailable, then paragraph (2) of subdivision (d) applies.

(B) If the person is lawfully arrested for operating an aircraft under the influence of any drug or the combined influence of an alcoholic beverage and any drug, the person has the choice of whether the test shall be of his or her blood, breath, or urine, and the officer shall advise the person that he or she has that choice.

(C) A person who chooses to submit to a breath test may also be requested to submit to a blood or urine test if the officer has reasonable cause to believe that the person was operating an aircraft under the influence of any drug or the combined influence of an alcoholic beverage and any drug and if the officer has a clear indication that a blood or

urine test will reveal evidence of the person being under the influence. The officer shall state in his or her report the facts upon which that belief and that clear indication are based. If the person who is arrested is either incapable or states that he or she is incapable of completing a blood test, that person shall submit to and complete a urine test. If the person arrested either is incapable, or states that he or she is incapable, of completing either chosen test, the person shall submit to and complete the other remaining test.

(3) If the person is lawfully arrested for an offense allegedly committed in violation of Section 21407.1 and, because of the need for medical treatment, the person is first transported to a medical facility where it is not feasible to administer a particular test of, or to obtain a particular sample of, the person's blood, breath, or urine, the person has the choice of those tests which are available at the facility to which that person has been transported. In that event, the officer shall advise the person of those tests which are available at the medical facility and that the person's choice is limited to those tests which are available.

(4) The officer shall also advise the person that he or she does not have the right to have an attorney present before stating whether he or she will submit to a test or tests, before deciding which test or tests to take, or during administration of the test or tests chosen, and that, in the event of refusal to submit to a test or tests, the refusal may be used against him or her in a court of law.

(5) Any person who is unconscious or otherwise in a condition rendering him or her incapable of refusal is deemed not to have withdrawn his or her consent and a test or tests may be administered whether or not the person is told that his or her failure to submit to, or the noncompletion of, the test or tests may result in a fine, imprisonment, and prohibition from operating an aircraft for not more than one year. Any person who is dead is deemed not to have withdrawn his or her consent and a test or tests may be administered at the direction of a peace officer.

(b) Any person who is afflicted with hemophilia is exempt from the blood test required by this section.

(c) Any person who is afflicted with a heart condition and is using an anticoagulant under the direction of a licensed physician and surgeon is exempt from the blood test required by this section.

(d) (1) A person lawfully arrested for any offense allegedly committed while the person was operating an aircraft in violation of Section 21407.1 may request the arresting officer to have a chemical test made of the arrested person's blood or breath for the purpose of determining the alcoholic content of that person's blood, and, if so requested, the arresting officer shall have the test performed.

(2) If a blood or breath test is not available under subparagraph (A) of paragraph (1) of subdivision (a), or under subparagraph (A) of paragraph (2) of subdivision (a), or under paragraph (1) of this subdivision, the person shall submit to the remaining test in order to determine the percent, by weight, of alcohol in the person's blood. If both the blood and breath tests are unavailable, the person shall be deemed to have given his or her consent to chemical testing of his or her urine and shall submit to a urine test.

## Punishment

21407.6. (a) Any person convicted under Section 21407.1 shall be punished upon a first conviction by imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000) or by both such fine and imprisonment.

Any person convicted under Section 21407.1 shall be punished upon a second or any subsequent conviction by imprisonment in the county jail for not less than five days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000), without being granted probation by the court and without having the court suspend the execution of the sentence.

(b) Any person convicted under Section 21407.1 and who, when so operating an aircraft, has done any act forbidden by law or neglects any duty imposed by law in the operation of the aircraft, which act or neglect proximately causes bodily injury to any person other than the operator shall be punished by imprisonment in the state prison, or in the county jail for not less than 90 days nor more than one year and by fine of not less than two hundred fifty dollars ($250) nor more than ten thousand dollars ($10,000).

## Authority to Prohibit Violator from Operation Aircraft

21408. For any violation of Section 21407 or 21407.1, in addition to the penalties provided by Section 21019 or 21407.6, the court may prohibit the violator from operating an aircraft within the state for a period not exceeding one year. Violation of the prohibition of the court may be treated as a separate offense under this section or as a contempt of court. Upon a plea of guilty or conviction under Section 21407 or 21407.1, the department shall cause a record of the plea or conviction and of the sentence imposed to be maintained. This section does not authorize the court or any other agency or person to take away, impound, hold, or mark any federal certificate, permit, rating, or license. The peace officer requesting that a person submit to a chemical test of the blood, breath, or urine pursuant to Section 21407.2 shall report anyone refusing to submit to the chemical test to the Federal Aviation Administration for appropriate administrative action.

## Unlicensed Operation

21409. It is unlawful for any person to engage in aeronautics as an airman in the State unless he has an appropriate effective airman certificate, permit, rating, or license issued by the United States authorizing him to engage in the particular class of aeronautics in which he is engaged, if the certificate, permit, rating, or license is required by the United States.

## Possession and Inspection of Certificate, License, Etc.

21410. Every airman shall keep any certificate, permit, rating, or license required for him by the United States in his personal possession when he is operating within the state. He shall present it for inspection upon the demand of any peace officer, any other officer of the state or of a political subdivision, or member, official, or employee of the department, authorized by Section 21252 to enforce the aeronautics laws, or any official, manager, or person in charge of any airport upon which the airman lands, or upon the reasonable request of any other person.

## Unlicensed Aircraft

21411. It is unlawful for any person to operate, or cause or authorize to be operated, any civil aircraft within this State unless the aircraft has an appropriate effective certificate, permit, or license issued by the United States if required by the United States.

## Posting Aircraft License; Inspection

21412. Any certificate, permit, or license required by the United States for an aircraft shall be carried in the aircraft at all times while the aircraft is operating in the state, shall be conspicuously posted in the aircraft where it may be readily seen by passengers or inspectors, and shall be presented for inspection upon the demand of any peace officer, any other officer of the state or of a political subdivision, or member, official, or employee of the department, authorized by Section 21252 to enforce the aeronautics laws, or any official, manager, or person in charge of any airport upon which the aircraft lands, or upon the reasonable request of any person.

## Accidents; Reports; Preservation of Parts Pending Investigation

21413. The department shall report to the appropriate federal agency all accidents in aeronautics in this state of which it is informed, and shall, insofar as is practicable, preserve, protect, and prevent the removal of the component parts of any aircraft involved in an accident being investigated by it until the federal agency institutes an investigation.

## Intoxicated Persons In or About Aircraft

21415. No person shall be in, or perform any act in connection with the maintenance or operation of, any aircraft when under the influence of intoxicating liquor.

This section does not apply to a person who is in an aircraft merely as a passenger, but this section shall not be construed to relieve any such person of criminal liability imposed by any other law for being intoxicated while in an aircraft.

## Locking Door Separating Pilot Compartment from Passenger Compartment

21416. On all commercial aircraft which transport passengers for compensation or hire the door which separates the pilot compartment from the passenger compartment shall be kept locked at all times the aircraft is in a flight over this state during which passengers are being transported except:

(a) During takeoff and landing of the airplane when such door is the means of access to a required passenger emergency exit.

(b) At such times as it may be necessary to provide access to the flight crew or passenger compartments for the crew members in the performance of their duties, or to provide access for other persons authorized admission to the flight crew compartment.

The pilot of the aircraft shall be guilty of a misdemeanor if the door is not so locked.

It shall be unlawful for any person, except a member of the crew, to have in his possession in the passenger compartment at any time the aircraft is in a flight over this state during which passengers are being transported a key or other device for opening such door from the passenger side of the door.

## Meteorological Towers

21417. (a) As used in this section, the following terms have the following meanings:

(1) "Meteorological instrument" means an instrument for measuring and recording the speed of the wind.

(2) "Meteorological tower" means a structure, including all guy wires and accessory facilities, on which a meteorological instrument is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.

(3) "Prime agricultural land" means land that satisfies the requirements of paragraph (1), (2), or (4) of subdivision (c) of Section 51201 of the Government Code.

(b) A meteorological tower below 200 feet in height and above 50 feet in height that is located on prime agricultural land, or within one mile of prime agricultural land, and erected after January 1, 2013, shall be marked as follows:

(1) The full length of the meteorological tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower. The bands shall be between 20 and 30 feet in width.

(2) Two or more high visibility spherical marker balls, also called cable balls, that are aviation orange shall be attached to each outside guy wire that is connected to a meteorological tower.

(3) One or more seven-foot high visibility safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

(c) A light may be affixed to the highest point on a meteorological tower as an additional option for the marking of the meteorological tower.

(d) (1) A local agency may incorporate any requirements of this section into any applicable land use permit that the agency administers.

(2) This section shall not be construed to authorize a local agency to require a new permit that applies to a meteorological tower.

(3) To the extent that the requirements of this section conflict with local permitting requirements, the requirements of this section shall supersede those permitting requirements.

(e) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

# Chapter 3.7 Wire Strike Education and Prevention

## Legislative Intent

21504. The Legislature finds and declares as follows:

(a) Representatives from the aviation community, electric utility industry, and government agencies voluntarily convened a working group in July 1992 to develop a comprehensive program to improve low-level flight safety throughout California.

(b) The working group found that the prevention of aircraft wire strikes and losses through (1) pilot education and awareness and (2) selective marking of those wires and supporting structures that present a hazard to low-level flight safety are equally important to improving low-level flight safety throughout the state.

(c) The working group developed criteria for marking selected wires and supporting structures based upon visibility and likelihood of aircraft activity, which now must be evaluated in the field.

(d) It is, therefore, the intent of the Legislature in enacting this chapter to implement recommendations of the working group to undertake a pilot education and awareness program and to evaluate the criteria for marking selected wires and supporting structures in the field.

## Pilot Awareness Program

21505. (a) The Division of Aeronautics, in cooperation with the aviation industry and the electric utility industry and in consultation with the Federal Aviation Administration, shall coordinate and disseminate information provided by the working group to pilots to increase awareness of wire hazards and to communicate techniques for identifying and avoiding wires.

(b) For purposes of coordinating and disseminating the information provided to the division by the working group pursuant to subdivision (a), every electrical corporation and publicly owned electrical utility in this state which serves 250,000 or more customers shall pay a one-time fee in a sufficient amount so that the total of all fees collected does not exceed one hundred thousand dollars ($100,000). The fee shall be in the proportion that each utility's total miles of transmission line greater than 110 kilovolts bears to the total miles of transmission line greater than 110 kilovolts statewide.

(c) All fees collected pursuant to subdivision (b) shall be deposited in the Aeronautics Account in the State Transportation Fund to be continuously appropriated to the Department of Transportation for the purposes set forth in subdivision (a).

### Cost Recovery

21507. All costs incurred by an electrical corporation pursuant to this chapter shall be deemed reasonable by the commission and shall be fully recoverable through rates.

# Chapter 4. Airports and Air Navigation Facilities

## Article 1. Assistance to Political Subdivisions

### Engineering and Technical Services

21601. The department may make available its engineering and other technical services, with or without charge, to any political subdivision or person desiring them in connection with the planning, acquisition, construction, improvement, maintenance, or operation of airports or air navigation facilities, subject to rules promulgated by the department.

### Financing

21602. (a) Subject to the terms and within the limits of special appropriations made by the Legislature, the department may render financial assistance by grant or loan, or both, to political subdivisions jointly, in the planning, acquisition, construction, improvement, maintenance, or operation of an airport owned or controlled, or to be owned or controlled, by a political subdivision or subdivisions, if the financial assistance has been shown by public hearing to be appropriate to the proper development or maintenance of a statewide system of airports. Financial assistance may be furnished in connection with federal or other financial aid for the same purpose.

(b) Notwithstanding subdivision (a) of Section 21681, a city or county designated by the Airport Land Use Commission is eligible to compete for funds held in the Aeronautics Account in the State Transportation Fund on behalf of any privately owned, public use airport that is included in an airport land use compatibility plan. However, the city or county shall be eligible to compete for the funds only when zoning on the parcel is tantamount to a taking of all reasonable uses that might otherwise be permitted on the parcel. The eligible airport and aviation purposes are limited to those specified in paragraphs (4), (5), (6), (9), and (14) of subdivision (f) of Section 21681, and, further, any capital improvements or acquisitions shall become the property of the designated city or county. Matching funds pursuant to subdivision (a) of Section 21684 may include the in-kind contribution of real property, with the approval of the department.

(c) Any grant of funds held in the Aeronautics Account in the State Transportation Fund on behalf of any privately owned airports shall contain a covenant that the airport remain open for public use for 20 years. Any grant made to a city or county on behalf of a privately owned airport shall contain a payback provision based upon existing market value at the time the private airport ceases to be open for public use.

(d) Upon request, California Aid to Airports Program (CAAP) projects included within the adopted Aeronautics Program, may be funded in advance of the year programmed, with the concurrence of the department, in order to better utilize funds in the account.

(e) There is, in the Aeronautics Account in the State Transportation Fund, a subaccount, the Local Airport Loan Account, for the management of funds for loans to local entities pursuant to this chapter. All funds for airport loans in the Special Deposit Fund are hereby transferred to the subaccount. With the approval of the Department of Finance, the department shall deposit in the subaccount all money received by the department from repayments of and interest on existing and future airport loans, including, but not limited to, the sums of five hundred forty thousand dollars ($540,000) in repayments from the General Fund due in July 1987, and July 1988, and may, upon appropriation, transfer additional funds from the Aeronautics Account in the State Transportation Fund to the subaccount as the department deems appropriate. Interest on money in the subaccount shall be credited to the subaccount as it accrues.

(f) (1) Notwithstanding subdivision (a) of Section 13340 of the Government Code, the money in the subaccount created by subdivision (e) is hereby continuously appropriated to the department without regard to fiscal years for purposes of loans to political subdivisions for airport purposes.

(2) Upon a determination by the department that the balance in the subaccount exceeds projected needs, funds in the subaccount may be transferred by the department to the Aeronautics Account to fund the California Aid to Airports Program with the approval of the California Transportation Commission and the Department of Finance. The transfers shall not reduce the amount of funds in the subaccount below five million dollars ($5,000,000).

## Agent for Political Subdivisions; Contracts; Handling of Funds

21603. Upon the request of any political subdivision or political subdivisions acting jointly, the department may act as agent in accepting, receiving, receipting for, and disbursing federal money, and other money public or private, made available to finance, in whole or in part, the planning, acquisition, construction, improvement, maintenance, or operation of a public airport or air navigation facility. The department may act as agent in contracting for and supervising the planning, acquisition, construction, improvement, maintenance, or operation. Any political subdivision may designate the department as its agent for these purposes.

The department as principal on behalf of the state, and any political subdivision on its own behalf, may enter into any contracts with each other, the United States, or any person, which may be required in connection with a grant or loan of federal money for public airport or air navigation facility purposes.

All federal money accepted under this section shall be accepted and transferred or expended by the department upon such terms and conditions as are prescribed by the United States. All money received by the department pursuant to this section shall be deposited in the Special Deposit Fund in the State Treasury, to be disbursed or expended in accordance with the terms and conditions upon which it was made available.

## Airport Closing Procedures

21605. No proprietor of any permitted airport which is open to the public and has received public funds shall close or suspend operation of the airport, or close an existing runway or taxiway except on a temporary basis for inspection, maintenance, construction, or emergency purposes, without notifying the department in writing 60 days prior to the intended closure or suspension of operations. On its own motion or upon the request of an affected or interested person, the department may conduct a public hearing to determine the impact of the intended closure or suspension of operations, both economically and on the entire state air transportation system. The department may take appropriate action to assist the proprietor in keeping the airport operational and open for public use.

# Article 2. State Airports and Air Navigation Facilities

## Establishment; Planning; Construction

21631. From appropriations or other money made available for the purpose, the department, on behalf of and in the name of the state, may plan, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and protect airports and air navigation facilities, either within or without the state, including the construction, installation, equipment, maintenance, and operation at the airports of buildings and other facilities for the servicing of aircraft or for the comfort and accommodation of air travelers.

## Acquisition of Existing Facilities

21632. (a) The department may also acquire existing airports and air navigation facilities, but it shall not acquire any airport or air navigation facility owned or controlled by a political subdivision of this or any other state without the consent of the political subdivision.

(b) Whenever an airport owned or operated by the United States in this state ceases to be so owned or operated, the department, in consultation with local and regional transportation planning agencies, may evaluate the present and future need for the airport in the state's public-use airport system, including the need for both the transportation of people and goods. The purpose of the evaluation is to determine aviation needs and does not eliminate any requirement of the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code.

(c) Prior to finalizing the evaluation, the department shall submit a copy of its report to the commission for review and comment.

The commission shall complete its review and forward any comments to the department not later than 45 days after receiving the evaluation.

(d) Upon completion of its evaluation, the department may make a recommendation to the Legislature, the commission, the affected local agencies, and the appropriate federal agency for the airport's ownership and type of operation as a public-use airport, if the department determines that the airport would be of significant benefit to the state's airport system. It is the intent of the Legislature that the department, in making its recommendation, give priority for ownership and operation of these public-use airports to a local political subdivision or subdivisions acting jointly.

(e) Notwithstanding Section 21606, if a political subdivision or subdivisions acting jointly notify the department of their intentions to prepare a reuse plan for the airport, and simultaneously apply to the Federal Aviation Administration for a federal grant to develop an airport master plan for the airport, the department shall not make its recommendation pursuant to subdivision (d). If the department's evaluation determines that the airport would be of

significant benefit to the state's airport system, and the political subdivision or subdivisions acting jointly fail to convert the federal airport to a civil public-use airport in accordance with the department's evaluation within five years of notification to the department, or fail to evidence substantial progress toward that purpose as determined by the department, then the department may take action in accordance with subdivision (f).

(f) If the department determines the airport is of present or future benefit to the state's public-use airport system, and no political subdivision applies to the appropriate federal agency to acquire or operate the airport, or has notified the department of its intention to prepare a reuse plan for the airport and thereafter fails to act upon its application pursuant to subdivision (e), the department may, subject to subdivision (g), assist in the formation of a public entity to own and operate the airport which shall be representative of political subdivisions in the area which surrounds and is served by the airport, as determined by the department. If established, the owning and operating entity may, subject to subdivision (g), prepare and submit an application to the appropriate federal agency to acquire or operate, or acquire and operate, the airport as a public airport.

(g) Notwithstanding subdivision (f), if any political subdivision has previously applied to the appropriate federal agency to acquire and operate the airport as a public airport, has completed all required environmental and fiscal evaluations, and subsequently withdrew its application prior to December 31, 1988, the department shall not file any application to acquire or operate the airport or assist in the formation of a public entity to own and operate the airport.

## Acquisition of Real or Personal Property

21633. For the purposes of this article, the department, by purchase, gift, devise, lease, condemnation, or otherwise, may acquire real or personal property, or any interest therein, including any property described in Section 21652.

## Disposal of Property

21636. The department may dispose of any property, airport, air navigation facility, or portion or interest, acquired pursuant to this article, by sale, lease, or otherwise. The disposal shall be in accordance with the laws of this state governing the disposition of other state property, except that in the case of disposals to any political subdivision or government or the United States for aeronautical purposes, the disposal may be effected in the manner and upon the terms the department deems in the best interests of the state.

## Contracts and Leases for Operation

21637. In operating an airport or air navigation facility owned or controlled by the state, the department may enter into contracts, leases, and other arrangements for a term not exceeding 20 years with any person, granting the privilege of using or improving the airport or air navigation facility or space therein for commercial purposes, conferring the privilege of supplying goods, commodities, things, services, or facilities at the airport or air navigation facility, or making available services to be furnished by the department or its agents at the airport or air navigation facility. In each case the department may establish the terms and conditions and fix the charges, rentals, or fees for the privileges or services, which shall be reasonable and uniform for the same class of privilege or service and shall be established with regard to the property and improvement used and the expenses of operation to the state. In no case shall the public be deprived of its rightful, equal, and uniform use of the airport, air navigation facility, or portion of either. The department shall grant no exclusive privilege for the sale or delivery of gasoline or other petroleum products.

## Lease of Airports

21638. The department shall call for bids for the operation of any state-owned airport and shall lease the airport for a term not to exceed five years to the highest qualified bidder or bidders. No person shall be granted any authority to operate the airport other than as a public airport or to enter into any contracts, leases, or other arrangements in connection with the operation of the airport which the department might not have undertaken under Section 21637. The state may operate an airport only if no acceptable bid is received.

## Exclusive Right for Use Prohibited

21639. The department shall grant no exclusive right for the use of any airport or air navigation facility under its jurisdiction. This section shall not be construed to prevent the making of contracts, leases, and other arrangements pursuant to this article.

## Lien for Charges; Enforcement

21640. To enforce the payment of any charges for repairs, improvements, storage, or care of any personal property by the department or its agents in connection with the operation of an airport or air navigation facility owned or operated by the state, the state has a lien on the property, which is enforceable by the department as provided by law.

## Flying or Releasing Balloon, Kite or Rocket Near Airport as Misdemeanor

21646. It shall be a misdemeanor for any person to release or fly or cause to be released or flown, within five miles of any airport, any moored balloon, kite, unmanned rocket, or unmanned free balloon which might be ingested by an aircraft engine or might cause a pilot's view of the airport and zone approach to be obstructed, or which could be used to suspend an object capable of endangering airborne aircraft or impairing a pilot's vision.

# Article 2.5. Non-Public Use Airports

## Airport Defined

21650. "Airport" for the purposes of this article means an airport not open to the general public.

## Airport Marks; Federal Aviation Administration Standards

21650.1. An airport shall be marked as required by rule of the department with letters or symbol selected by the department to designate that the airport is not open to the general public. In selecting the letters or symbol, the department shall be guided by letters or symbols currently in use by the Federal Aviation Administration for similar or comparable purposes.

## Permit; Application and Receipt Under Article 3

21650.2. Nothing shall prevent an airport from applying for and receiving a permit pursuant to Article 3 (commencing with Section 21661) of this chapter.

# Article 2.6 Hazard Elimination; Flight Disturbance

## Eminent Domain

21652. (a) Any person authorized to exercise the power of eminent domain for airport purposes may acquire by purchase, gift, devise, lease, condemnation, or otherwise:

(1) Any property necessary to permit the safe and efficient operation of the airport, or to permit the removal, elimination, obstruction-marking, or obstruction-lighting of airport hazards, or to prevent the establishment of airport hazards.

(2) Airspace or an easement in such airspace above the surface of property where necessary to permit imposition upon such property of excessive noise, vibration, discomfort, inconvenience, interference with use and enjoyment, and any consequent reduction in market value, due to the operation of aircraft to and from the airport.

(3) Remainder property underlying property taken pursuant to paragraph (2), where permitted by Section 1240.410 of the Code of Civil Procedure.

(b) As used in this section, "property" includes real and personal property and any right or interest therein, whether within, beyond, adjacent to, or in the vicinity of, the boundaries of an airport or airport site, and, by way of illustration and not by way of limitation, includes air rights, airspace, air easements, and easements in airport hazards.

## Removal of Hazards

21653. Any person authorized to exercise the power of eminent domain for airport purposes may provide, by purchase, gift, devise, lease, condemnation, or otherwise, for the removal or relocation of any airport hazard or the removal or relocation of all facilities, structures, and equipment that may interfere with the location, expansion, development, or improvement of the airport and other air navigation facilities or with the safe approach thereto and takeoff therefrom by aircraft. Any person acting under authority of this section shall pay the cost of such removal or relocation.

## Article 2.7 Regulation of Obstructions

### Proposed Site for Construction of State Building Within Two Miles of Airport Boundary

21655. Notwithstanding any other provision of law, if the proposed site of any state building or other enclosure is within two miles, measured by air line, of that point on an airport runway, or runway proposed by an airport master plan, which is nearest the site, the state agency or office which proposes to construct the building or other enclosure shall, before acquiring title to property for the new state building or other enclosure site or for an addition to a present site, notify the Department of Transportation, in writing, of the proposed acquisition. The department shall investigate the proposed site and, within 30 working days after receipt of the notice, shall submit to the state agency or office which proposes to construct the building or other enclosure a written report of the investigation and its recommendations concerning acquisition of the site.

If the report of the department does not favor acquisition of the site, no state funds shall be expended for the acquisition of the new state building or other enclosure site, or the expansion of the present site, or for the construction of the state building or other enclosure, provided that the provisions of this section shall not affect title to real property once it is acquired.

### Permit for Extension of Structure More Than 500 Feet Above Ground

21656. No person shall erect or add to the height of any structure within the boundaries of this state which will result in a structure that extends more than 500 feet above the ground on which such structure rests until a permit therefor has been issued for such purpose by the department. This section is not applicable to the construction of any structure if the Federal Communications Commission is required to approve the height of the structure or if the height of the structure is required to be approved under the Federal Aviation Act of 1958 (Public Law 85-726; 72 Stat. 731).

### Refusal to Issue Permit; Request for Hearing

21657. The department may refuse issuance of a permit under Section 21656 if it determines that the erection of or addition to a structure would obstruct the airspace overlying the state so as to create an unsafe condition for the flight of aircraft.

Any person denied a permit shall, upon request, be granted a hearing by the department to determine whether a permit shall be issued. The hearing shall be held pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

### Construction of Utility Pole or Line in Vicinity of Aircraft Landing Area

21658. No public utility shall construct any pole, pole line, distribution or transmission tower, or tower line, or substation structure in the vicinity of the exterior boundary of an aircraft landing area of any airport open to public use, in a location with respect to the airport and at a height so as to constitute an obstruction to air navigation, as an obstruction is defined in accordance with Part 77 of the Federal Aviation Regulations, Federal Aviation Administration, or any corresponding rules or regulations of the Federal Aviation Administration, unless the Federal Aviation Administration has determined that the pole, line, tower, or structure does not constitute a hazard to air navigation. This section shall not apply to existing poles, lines, towers, or structures or to the repair, replacement, or reconstruction thereof if the original height is not materially exceeded and this section shall not apply unless just compensation shall have first been paid to the public utility by the owner of any airport for any property or property rights which would be taken or damaged hereby.

### Hazards Near Airports Prohibited

21659. (a) No person shall construct or alter any structure or permit any natural growth to grow at a height which exceeds the obstruction standards set forth in the regulations of the Federal Aviation Administration relating to objects affecting navigable airspace contained in Title 14 of the Code of Federal Regulations, Part 77, Subpart C, unless a permit allowing the construction, alteration, or growth is issued by the department.

(b) The permit is not required if the Federal Aviation Administration has determined that the construction, alteration, or growth does not constitute a hazard to air navigation or would not create an unsafe condition for air navigation. Subdivision (a) does not apply to a pole, pole line, distribution or transmission tower, or tower line or substation of a public utility.

(c) Section 21658 is applicable to subdivision (b).

## Refusal to Issue Permit; Request for Hearing

21660. The department may refuse issuance of a permit under Section 21659 if it determines that the construction or alteration of the structure or growth of the natural growth would constitute a hazard to air navigation or create an unsafe condition for air navigation.

Any person denied a permit shall, upon request, be granted a hearing by the department to determine whether a permit shall be issued. The hearing shall be held pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

# Article 3. Regulation of Airports

## Exemptions

21661. This article does not apply to any temporary seaplane landing site, ultralight vehicle flightpark, or to airports owned or operated by the United States. To the extent necessary, the department may exempt any other class of airports, pursuant to a reasonable classification or grouping, from any rule or requirement thereof, adopted pursuant to this article, if it finds that its application would be an undue burden on the class and is not required in the interest of public safety.

This section shall become operative on January 1, 1989.

## City Council or Board of Supervisors and ALUC Approvals

21661.5. (a) No political subdivision, any of its officers or employees, or any person may submit any application for the construction of a new airport to any local, regional, state, or federal agency unless the plan for construction is first approved by the board of supervisors of the county, or the city council of the city, in which the airport is to be located and unless the plan is submitted to the appropriate commission exercising powers pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9, and acted upon by that commission in accordance with the provisions of that article.

(b) A county board of supervisors or a city council may, pursuant to Section 65100 of the Government Code, delegate its responsibility under this section for the approval of a plan for construction of new helicopter landing and takeoff areas, to the county or city planning agency.

## Submission of Plan for Expansion or Enlargement of Airport

21661.6. (a) Prior to the acquisition of land or any interest therein, including tide and submerged lands or other lands subject to the public trust for commerce, navigation, or fisheries, by any political subdivision for the purpose of expanding or enlarging any existing publicly owned airport, the acquiring entity shall submit a plan of that expansion or enlargement to the board of supervisors of the county, or the city council of the city, in which the property proposed to be acquired is located.

(b) The plan shall show in detail the airport-related uses and other uses proposed for the property to be acquired.

(c) The board of supervisors or the city council, as the case may be, shall, upon notice, conduct a public hearing on the plan, and shall thereafter approve or disapprove the plan.

(d) Upon approval of the plan, the proposed acquisition of property may begin.

(e) The use of property so acquired shall thereafter conform to the approved plan, and any variance from that plan, or changes proposed therein, shall first be approved by the appropriate board of supervisors or city council after a public hearing on the subject of the variance or plan change.

(f) The requirements of this section are in addition to any other requirements of law relating to construction or expansion of airports.

## Approval of Sites; Issuance of Permits; Charges

21662. The department shall have the authority to issue airport site approval permits, amended airport site approval permits, airport permits, and amended airport permits. No charge shall be made for the issuance of any permit.

## Emergency Service Helicopters

21662.1. (a) At or as near as practical to the site of a medical emergency and at a medical facility, an officer authorized by a public safety agency may designate an area for the landing and taking off of an emergency service helicopter, in accordance with regulations established not later than January 1, 1989, pursuant to Section 21243.

(b) "Public safety agency" means any city, county, state agency, or special purpose district authorized to arrange for emergency medical services.

## Emergency Flights for Medical Purposes

21662.4. (a) Emergency aircraft flights for medical purposes by law enforcement, firefighting, military, or other persons who provide emergency flights for medical purposes are exempt from local ordinances adopted by a city, county, or city and county, whether general law or chartered, that restrict flight departures and arrivals to particular hours of the day or night, that restrict the departure or arrival of aircraft based upon the aircraft's noise level, or that restrict the operation of certain types of aircraft.

(b) As used in this section, "emergency aircraft flights for medical purposes" are those flights in which undue delay would threaten a patient's life. "Emergency aircraft flights for medical purposes" include, but are not limited to, flights for the transportation of any of the following:

(1) Patients accompanied by licensed or certificated medical attendants such as paramedics, nurses, physicians, and respiratory therapists.

(2) Surgical transplant teams for the purpose of procuring human organs for reimplantation in recipients.

(3) Organ procurement agency coordinators responding to a potential donor.

(4) Temporarily viable human organs such as a heart, liver, lungs, kidneys, and pancreas, and human tissue, blood, or blood components.

(5) Human tissue and blood samples for clinical testing to determine compatibility between a donor and a recipient.

(6) Mechanical adjuncts or biological replacements for human organs.

(7) Medical equipment and supplies.

(8) Aircraft or equipment used during a medical emergency, or emergency personnel and first responders involved in treating the medical emergency, for the purpose of returning to its base of operation.

"Emergency aircraft flights for medical purposes" do not include the transportation of medical personnel to attend seminars, conferences, or speaking appearances in which undue delay would not jeopardize any patient's medical condition.

(c) (1) Written information concerning the emergency shall be submitted to the airport proprietor for all emergency aircraft flights within 72 hours prior or subsequent to the departure or arrival of the aircraft. For all emergency aircraft flights for medical purposes, the information shall include the patient's name and address, the names of medical attendants or personnel and the discipline in which they are licensed or hold a certificate to practice, a signed statement by the attending physician specifying that a medical emergency was involved, the requesting medical facility or agency, the intended destination, the type and registration number of the aircraft, and the names of all flight crew members, provided that the disclosure is authorized by and made in a manner consistent with the standards with respect to the privacy of individually identifiable health information of Title II (commencing with Section 200) of the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191), the regulations issued by the United States Department of Health and Human Services pursuant to that act (45 C.F.R. Pts. 160 and 164), and the Confidentiality of Medical Information Act (Part 2.6 (commencing with Section 56) of Division 1 of the Civil Code).

(2) This subdivision does not apply to emergency aircraft flights for medical purposes by law enforcement, firefighting, or military personnel.

(d) Any airport that incurs additional expenses in order to accommodate the arrival or departure of emergency aircraft flights for medical purposes may charge the patient on whose behalf the flight is made, or any organization or entity which has volunteered to reimburse the airport, for those expenses.

(e) For emergency aircraft flights for medical purposes, when two airports are located in the same geographical area, and one of the airports is a "closed" or restricted airport, the Legislature encourages the use of the "open" or unrestricted airport when feasible, rather than using the "closed" or restricted airport.

(f) When leasing aircraft for flights for emergency medical purposes, the Legislature encourages the use, when feasible, of aircraft which comply with local noise ordinances.

## Helicopters in Proximity to Certain Schools Prohibited

21662.5. Notwithstanding Section 21006 or Section 21661 or any other provision of law to the contrary, no helicopter may land or depart in any area within 1,000 feet, measured by air line, of the boundary of any public or private school maintaining kindergarten classes or any classes in grades 1 through 12, without approval of the department or by a public safety agency designated by the department, unless the landing or departure takes place at a permitted permanent heliport, or is a designated emergency medical service landing site.

Before approval of the landing or departure of a helicopter pursuant to this section, all schools within the specified area shall be notified by the department or public safety agency of the application and shall have 15 days after the notice in which to demand a public hearing. The public hearing shall be held at a location in the immediate vicinity

of the landing or departure site. The department or public safety agency shall not grant approval pursuant to this section unless it has first found that helicopter operations at the proposed site can be conducted in a safe manner, and in accordance with criteria established by the department.

This section shall not prevent the governing body of any city or county from enacting ordinances or regulations imposing restrictions equal to or greater than those imposed by this section.

## Operation Without Permit

21663. It is unlawful for any political subdivision, any of its officers or employees, or any person to operate an airport unless an appropriate airport permit required by rule of the department has been issued by the department and has not subsequently been revoked.

## Approval of Sites; Application

21664. Any political subdivision or person planning to construct, establish, or expand an airport shall apply for the appropriate permit from the department prior to the construction, establishment or expansion. The application shall set forth the location of all highways, railways, wires, cables, poles, fences, schools, residential areas and places of public gathering, and any other information as may be required by the rules and regulations of the department. Whenever an airport owned or operated by the United States ceases to be so owned or operated, any political subdivision or person desiring or planning to own or operate the airport shall apply to the department in compliance with the provisions of this article. If the airport holds a permit issued by the department, the application shall be confined to consideration of the matters enumerated in subdivision (e) of Section 21666.

## Amended Airport Permits; Airport Expansion Defined

21664.5. (a) An amended airport permit shall be required for every expansion of an existing airport. An applicant for an amended airport permit shall comply with each requirement of this article pertaining to permits for new airports. The department may by regulation provide for exemptions from the operation of this section pursuant to Section 21661, except that no exemption shall be made limiting the applicability of subdivision (e) of Section 21666, pertaining to environmental considerations, including the requirement for public hearings in connection therewith.

(b) As used in this section, "airport expansion" includes any of the following:

(1) The acquisition of runway protection zones, as defined in Federal Aviation Administration Advisory Circular 150/1500-13, or of any interest in land for the purpose of any other expansion as set forth in this section.

(2) The construction of a new runway.

(3) The extension or realignment of an existing runway.

(4) Any other expansion of the airport's physical facilities for the purpose of accomplishing or which are related to the purpose of paragraph (1), (2), or (3).

(c) This section does not apply to any expansion of an existing airport if the expansion commenced on or prior to the effective date of this section and the expansion met the approval, on or prior to that effective date, of each governmental agency that required the approval by law.

## Issuance of Permits; Requirements; Conditions

21666. The department shall issue a permit if it is satisfied that all of the following requirements have been met:

(a) The site meets or exceeds the minimum airport standards specified by the department in its rules and regulations, provided, however, that the department may modify its minimum airport standards when issuing a permit if it is satisfied that the airport will conform to minimum standards of safety.

(b) Safe air traffic patterns have been established for the proposed airport and for all existing airports and approved airport sites in its vicinity.

(c) The zone of approach of the airport has been engineered in conformity with the provisions of Section 21403, the documents relating thereto are available for public inspection.

(d) The department when issuing a permit may impose reasonable conditions which it deems necessary to effectuate the purposes of this article.

(e) The advantages to the public in selection of the site of a proposed new airport outweigh the disadvantages to the environment or, in the case of an amended permit, the advantages to the public of the proposed airport expansion outweigh the disadvantages to the environment. Environmental considerations include but are not limited to noise, air pollution, and the burden upon the surrounding area caused by the airport or airport expansion, including but not limited to, surface traffic and expense. The standards by which noise considerations are weighed shall be the level of noise acceptable to a reasonable person residing in the vicinity of the airport. The regulations adopted by the department pursuant to Section 21669 may be considered in determining such level of noise.

Each permit issued by the department shall set forth any conditions imposed thereon, and any modification of the general minimum airport standards prescribed by the department relative to such airport or airport site.

The department may refuse to issue a permit under this article if it determines that the requirements of this section have not been met. Any person denied a permit shall, upon request, be granted a hearing by the department to determine whether the permit should be issued.

## Revocation of Permit; Grounds

21668. The department may revoke any airport permit if it determines that any of the following conditions are present:

(a) There has been an abandonment of a site or an airport.

(b) There has been a failure within the time prescribed to develop the site as an airport or to comply with the conditions of the approval as set forth in the permit.

(c) The airport or site no longer conforms to the minimum airport standards prescribed by the department, or no longer complies with the conditions imposed in the airport permit or site approval.

(d) The owner or operator of a permitted airport has failed to comply with any rule or regulation of the department.

(e) The site may no longer be safely used by the general public because of a change in physical or legal conditions either on or off the airport site.

The department shall not revoke a permit under this section without prior notice or opportunity for hearing, unless the department determines in writing that public safety considerations require a summary revocation. In this event, any person aggrieved by the action of the department shall, upon request, be granted a hearing by the department to determine whether the revocation shall remain in effect.

## Suspension of Operation

21668.2. In lieu of revoking an airport permit pursuant to Section 21668, the department may suspend any airport permit, or may require suspension of operations of a portion of an airport, and such suspension shall remain in effect until the department determines that the conditions requiring the suspension no longer exist.

The department shall not order a suspension under this section without prior notice or opportunity for hearing, unless the department determines in writing that public safety considerations require a summary suspension. In this event, any person aggrieved by the action of the department shall, upon request, be granted a hearing by the department to determine whether the suspension shall remain in effect.

## Adoption of Noise Standards

21669. The department shall adopt noise standards governing the operation of aircraft and aircraft engines for airports operating under a valid permit issued by the department to an extent not prohibited by federal law. The standards shall be based upon the level of noise acceptable to a reasonable person residing in the vicinity of the airport.

## Existing Residential Conversion

21669.1. (a) Land use conversion involving existing residential communities shall generally be considered the least desirable action for achieving compliance with noise standards regulations adopted by the Department of Transportation pursuant to Section 21669.

(b) Nothing in this section creates a private right of action in any civil litigation.

(c) This section is declaratory of existing regulations of the department.

## Guidelines

21669.2. In its deliberations, the department shall be governed by the following guidelines:

(a) Statewide uniformity in standards of acceptable airport noise need not be required, and the maximum amount of local control and enforcement shall be permitted.

(b) Due consideration shall be given to the economic and technological feasibility of complying with the standards promulgated by the department.

## Effective Date of Regulations

21669.3. Any regulations designed to establish a noise monitoring program at an airport entering service after November 30, 1971, shall go into effect on the date the airport enters service.

## Violation of Standards; Enforcement; Penalties

21669.4. (a) The violation of the noise standards by any aircraft shall be deemed a misdemeanor and the operator thereof shall be punished by a fine of one thousand dollars ($1,000) for each infraction.

(b) It shall be the function of the county wherein an airport is situated to enforce the noise regulations established by the department. To this end, the operator of an airport shall furnish to the enforcement authority designated by the county the information required by the department's regulations to permit the efficient enforcement thereof. The operator of each airport shall reimburse the county for its costs of implementing the airport noise regulations contained in Article 8 (commencing with Section 5050) of subchapter 6 of Title 4 of the California Administrative Code, which shall, for purposes of subdivision (c), credit the operator for any amounts received from penalties assessed for violations at such airport. Upon request of the operator, the department shall review and shall determine the reasonableness of such costs, and such costs may be considered in fixing any airport user fees.

(c) Penalties assessed for the violation of the noise regulations shall be used first to reimburse the General Fund for the amount of any money appropriated to carry out the purposes for which the noise regulations are established, and second be used in the enforcement of the noise regulations at participating airports.

## Noise-sensitive projects; approval conditioned upon grant of avigation easement

21669.5. (a) For purposes of this section, the following terms have the following meanings:

(1) (A) "Avigation easement" means a less-than-fee-title transfer of real property rights from the property owner that may convey to an owner or operator of an airport any or all of the following rights:

(i) A right-of-way for the free and unobstructed passage of aircraft through the airspace over the property at any altitude above a specified surface.

(ii) A right to subject the property to noise, vibration, fumes, dust, and fuel particle emissions associated with normal airport activity.

(iii) A right to prohibit the erection or growth of any structure, tree, or other object that would enter the acquired airspace.

(iv) 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.

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

(B) "Avigation easement" includes an easement obtained pursuant to paragraph (2) of subdivision (a) of Section 21652.

(2) "CNEL" means community noise equivalent level established pursuant to Chapter 6 (commencing with Section 5000) of Division 2.5 of Title 21 of the California Code of Regulations.

(3) "Noise-sensitive land use" means residential uses, including detached single-family dwellings, multifamily dwellings, highrise apartments or condominiums, mobilehomes, public and private educational facilities, hospitals, convalescent homes, churches, synagogues, temples, and other places of worship.

(4) "Noise-sensitive project" means a project involving new construction or reconstruction for a planned noise-sensitive land use within an airport's 65 decibels CNEL or higher noise contour.

(b) If a political subdivision conditions approval of a noise-sensitive project upon the grant of an avigation easement to the owner or operator of an airport, the avigation easement shall be required to be granted to the owner or operator of the airport prior to the issuance of the building permit that allows construction or reconstruction of the noise-sensitive project. The owner or operator of an airport that is granted an avigation easement as a condition for approval of a noise-sensitive project pursuant to this subdivision shall be entitled to immediately record it upon receipt.

(c) An avigation easement granted to the owner or operator of an airport as a condition for approval of a noise-sensitive project shall include a termination clause that operates to terminate the avigation easement if the noise-sensitive project is not built and the permit or any permit extension authorizing construction or reconstruction of the noise-sensitive project has expired or has been revoked.

(d) Within 30 days after expiration or revocation of a permit or permit extension that authorized construction or reconstruction of a noise-sensitive project and was conditioned upon the property owner granting an avigation easement to the owner or operator of an airport, the political subdivision that had issued the permit shall notify the owner or operator of the airport of the expiration or revocation of the permit. Within 90 days after receipt of the notice from the political subdivision, the owner or operator of the airport shall record a notice of termination with the county recorder in which the property is located. Proof of filing of the notice of termination shall be provided to the political subdivision by the owner or operator of the airport within 30 days of recordation.

(e) Notwithstanding Sections 6103 and 27383 of the Government Code, in filing any instrument, paper, or notice pursuant to this section, the owner or operator of an airport shall pay all applicable recording fees prescribed by law.

## Hearing Procedures

21669.6. Hearings under this article required by the provisions of Sections 21666, 21668, 21668.2, and 21669, or regulations adopted pursuant to those provisions, shall be conducted pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

# Article 3.5. Airport Land Use Commission

## Creation; Membership; Selection

21670. (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 scheduled 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.

## Action by Designated Body Instead of Commission

21670.1. (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.

(B) (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.

## Los Angeles County

21670.2. (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.

## San Diego County

21670.3. (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.

## Intercounty Airports

21670.4. (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.

## Actions subject to mediation

21670.6. Any action brought in the superior court relating to this article may be subject to a mediation proceeding conducted pursuant to Chapter 9.3 (commencing with Section 66030) of Division 1 of Title 7 of the Government Code.

## Airport Owned by a City, District, or County

21671. 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.

## Term of Office

21671.5. (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.

## Rules and Regulations

21672. 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.

## Initiation of Proceedings for Creation by Owner of Airport

21673. 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 therefor to the satisfaction of the board of supervisors.

## Powers and Duties

21674. 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.

## Training of Airport Land Use Commission's Staff

21674.5. (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.

## Airport Land Use Planning Handbook

21674.7. (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.

## Land Use Plan

21675. (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 years. 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.

## Adoption of Land Use Plan

21675.1. (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.

## Approval or Disapproval of Actions, Regulations, or Permits

21675.2. (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.

## Review of Local General Plans

21676. (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.

## Review of Local Plans

21676.5. (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.

## Marin County Overrule Provisions

21677. 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.

## Airport Owner's Immunity

21678. 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.

## Court Review

21679. (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.

### Deferral of Court Review

21679.5. (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.

## Article 4. Aeronautics Fund

### Continuation; Continuous Appropriation

21680. (a) The Aeronautics Fund is hereby continued in existence as the Aeronautics Account in the State Transportation Fund. The moneys deposited to the credit of the account are continuously appropriated for expenditure by the board and the department as provided in this article.

(b) Any reference in any law or regulation to the Airport Assistance Revolving Fund, the Airport Assistance Fund, or the Aeronautics Fund shall be deemed to refer to the Aeronautics Account in the State Transportation Fund. As used in this article, "fund" shall be deemed to refer to the Aeronautics Account in the State Transportation Fund.

### Definitions

21681. As used in this article, the following terms have the following meanings:

(a) "Own and operate" means that the public entity shall own the property in fee simple or by a long-term lease of a minimum of 20 years, unless otherwise approved by the department, and shall maintain dominion and control of the property, except that the public entity may provide by contract with a person for the operation and management of an airport otherwise meeting the requirements of this article. Operations of the airport shall be for, and on behalf of, the public entity. All leases to the public entity of property are required to be approved by the department. A lease of the property by the public entity to an agent or agency other than to a public entity does not meet the criteria for participation in airport assistance funds.

(b) "Matching funds" means money that is provided by the public entity and does not consist of funds previously received from state or federal agencies or public entity funds previously used to match federal or state funds. This definition shall be retroactive to July 1, 1967.

(c) "General aviation" means all aviation except air carrier and military aviation.

(d) "Public entity" means any city, county, airport district, airport authority, port district, port authority, public district, public authority, political subdivision, airport land use commission, community services district, or public corporation and the University of California.

(e) "Public agency" means the various agencies of the State of California and the federal government.

(f) "Airport and aviation purposes" means expenditures of a capital improvement nature, including the repair or replacement of a capital improvement, and expenditures for compatible land use planning in the area surrounding an airport, for any of the following purposes:

(1) Land acquisition for development and improvement of general aviation aircraft landing facilities.

(2) Grading and drainage necessary for the construction or reconstruction of runways or taxiways.

(3) Construction or reconstruction of runways or taxiways.

(4) Acquisition of "runway protection zones" as defined in Federal Aviation Administration Advisory Circular 150/1500-13.

(5) Acquisition of easements through, or other interests in, airspace as may be reasonably required for safeguarding aircraft operations in the vicinity of an aircraft landing facility.

(6) Removal of natural obstructions from runway protection zones.

(7) Installation of "segmented circle airport marker systems" as defined in current regulations of the Federal Aviation Administration.

(8) Installation of runway, taxiway, boundary, or obstruction lights, together with directly related electrical equipment.

(9) Installation of minimum security fencing around the perimeter of an aircraft landing facility.

(10) Grading and drainage necessary to provide for parking of transient general aviation aircraft.

(11) Construction or reconstruction of transient general aviation aircraft parking areas.

(12) Servicing of revenue or general obligation bonds issued to finance capital improvements for airport and aviation purposes.

(13) Air navigational facilities.

(14) Engineering and preliminary engineering related directly to a project funded under this article.

(15) Other capital improvements as may be designated in rules and regulations adopted by the department.

(16) Activities of an airport land use commission in connection with the preparation of a new or updated airport land use compatibility plan pursuant to Section 21675. Expenditures that cannot be clearly identified as capital improvements shall be submitted to the department for consideration and approval.

(17) Airport master plans and airport layout plans.

(g) "Operation and maintenance" means expenditures for wages or salaries, utilities, service vehicles, and all other noncapital expenditures that are included in insurance, professional services, supplies, construction equipment, upkeep and landscaping, and other items of expenditure designated as "operation and maintenance" in rules and regulations adopted by the department.

(h) "Enplanement" means the boarding of an aircraft by a revenue passenger, including an original, stopover, or transfer boarding of the aircraft. For purposes of this subdivision, a stopover is a deliberate and intentional interruption of a journey by a passenger scheduled to exceed four hours in the case of an intrastate or interstate passenger or not to exceed 24 hours in the case of an international passenger at a point between the point of departure and the point of destination, and a transfer is an occurrence at an intermediate point in an itinerary whereby a passenger or shipment changes from a flight of one carrier to another flight either of the same or a different carrier with or without a stopover.

## Payments from Fund

21682. (a) The department shall establish individual revolving fund subaccounts for eligible airports in the Aeronautics Account in the State Transportation Fund. Money payable under this section shall be credited to individual airport subaccounts annually, and may be accumulated for a maximum period of five years.

(b) The department shall, subject to Section 21684, credit from the Aeronautics Account to each public entity owning and operating an airport or airports under a valid permit issued by the department for every airport which has not been designated by the Federal Aviation Administration as (1) a reliever airport, as defined in Section 503 (a) (19) of the federal Airport and Airway Improvement Act of 1982, as amended, or (2) a commercial service airport, as defined in Section 503 (a) (5) of the federal Airport and Airway Improvement Act of 1982, as amended, the sum of ten thousand dollars ($10,000) annually for each qualifying airport. These funds shall be paid to public entities upon request for expenditure on preapproved eligible projects. Eligible public entities may submit applications for the withdrawal of credited funds for expenditure on proposed projects in letter form to the department for review and approval. Projects identified shall be for airport and aviation purposes and operation and maintenance purposes. No payment made under this section is transferable, but shall be expended only upon the

airport for which the payment is made, unless the department authorizes a payment to be transferred for expenditure on another airport owned or operated by the public entity. The department may establish any accounting systems it deems necessary to provide for the cumulation and expenditure of funds under this subdivision.

(c) If, in any year, there is insufficient money in the Aeronautics Account to make the credits specified in subdivision (b), the department shall, subject to Section 21684, credit to each public entity subaccount an amount which is equal to the total amount of money in the Aeronautics Account multiplied by a percentage equivalent to the proportion which the airport or airports of the public entity for which credit is required to be made pursuant to subdivision (b) bear to the total number of airports for which credit is required to be made pursuant to subdivision (b).

(d) No payment shall be made under this section to any public entity for any airport on which general or commercial aviation activities are substantially restricted if the airport is licensed to conduct these activities by the department. The department shall determine whether or not general or commercial aviation activities are restricted.

(e) The department shall adopt rules and regulations and establish procedures to effect prompt payment to public entities for eligible airport projects from money credited pursuant to this section.

## Payment of Aviation Share of Comprehensive Transportation Planning Costs

21682.5. The department shall pay, from the Aeronautics Account to the Transportation Planning and Development Account in the State Transportation Fund, a sum equal to the pro rata share of the comprehensive transportation duties attributable to aviation planning and research, as determined by the Director of Transportation.

## Use of Balance

21683. Any public entity may apply to the department each year for the allocation of funds for the acquisition or development of airports. The commission may, pursuant to rules and regulations promulgated by the department, make an allocation to the public entity if it determines that the proposed acquisition or development is feasible and in accordance with the policies and standards established by the department. The department shall make recommendations to the commission on all applications. Such allocations shall be represented as subventions in the department budget in accordance with Section 21206.

No moneys paid under this section shall be expended for operation and maintenance. No payment shall be made under this section to any public entity for any airport on which general or commercial aviation activities are substantially restricted if the airport is licensed to conduct such activities by the department. The department shall determine whether or not general or commercial aviation activities are restricted.

## Use of Funds for Local Match for Federal Airport Improvement Program Grants

21683.1. (a) At the discretion of the commission, any balance remaining in the Aeronautics Account, after the payments made under Section 21682, may be used to provide a portion of the local match for federal Airport Improvement Program grants. Matching shall be provided only for grants at general aviation airports, or at airports that have been designated by the Federal Aviation Administration as reliever airports, as defined in Section 503(a)(19) of the federal Airport and Airway Improvement Act of 1982, as amended.

(b) Funds shall not be allocated by the commission until the federal grant offer is accepted by the public entity. Upon allocation by the commission, the department may pay a public entity an amount equal to 5 percent of the amount of a federal Airport Improvement Program grant. These funds are excluded from the requirements of Section 21684.

(c) Funds shall not be allocated by the commission until the federal grant offer is accepted by the public entity. Upon allocation by the commission, the department may, until December 31, 2006, pay a public entity an amount equal to the 10 percent local match required for a federal Airport Improvement Program grant for security projects at small general aviation airports. For purposes of this section, a "security project" means a project to install or maintain fencing, gates, security lighting, access controls systems, and surveillance systems. For purposes of this section a "small general aviation airport" means an airport with fewer than 80,000 annual landings and take-offs of aircraft.

## Use of Balance in Aeronautics Account

21683.2. Any balance remaining in the Aeronautics Account, after the payments made under Section 21682 and Section 21683.1, shall be used at the discretion of the commission for airport and aviation purposes subject to the provisions of Section 21684.

## Special Aviation Fund

21684. (a) No payment shall be made to a public entity pursuant to this article unless the public entity has established a special aviation fund in which all payments received by a public entity under this article shall be deposited for expenditure solely for airport and aviation purposes. No payment shall be made to a public entity for a project pursuant to Section 21683.2 unless the public entity deposits in its special aviation fund a sum from other than state or federal sources, established annually by the commission at not less than 10 percent nor more than 50 percent of the nonfederal portion of the project.

Notwithstanding the provisions of this subdivision requiring matching funds, the department shall pay to each public entity owning and operating an airport or airports the annual amount that is in accordance with Section 21682.

(b) No payment shall be made for any airport to the University of California pursuant to this article unless the university has established a special aviation fund in which all payments received by the university under this article shall be deposited for expenditure solely for airport and aviation purposes. No payment shall be made for any airport to the University of California pursuant to Section 21683.2 unless the university deposits in its special aviation fund each year, for expenditure solely for airport and aviation purposes, a sum from nonstate or nonfederal funds based on the rate established annually by the commission pursuant to subdivision (a), or unless a city located within 10 miles of the airport or the county within which the airport is located pays to the university a sum based on the rate established annually by the commission pursuant to subdivision (a). However, any sums so deposited by the university or paid by the city or county may be considered jointly as meeting the requirements of this section. The payments received from a city or county pursuant to these sections are to be expended solely for the airport and for aviation purposes related to such airport. All payments received by the university shall be deposited in its special aviation fund.

## Use of Balance of Fund to Purchase Emergency Search and Rescue Equipment

21684.1. Notwithstanding the provisions of Section 21683, any balance remaining in the fund after the payments made under Section 21682 may be used by the department to purchase emergency search and rescue equipment and to make such equipment available for use by recognized search and rescue groups. The equipment shall remain the property of the department. No more than eight thousand dollars ($8,000) shall be expended pursuant to this section for the purchase of emergency search and rescue equipment.

## Allocation of Funds for Construction of Airports

21684.5. Notwithstanding the provisions of this article inasmuch as they require matching funds the department may allocate funds to public agencies for the construction of airports.

## Allocation of Funds to Counties

21684.6. Notwithstanding the provisions of this article, inasmuch as they require matching funds, the department may allocate funds to a county or a city for the construction of recreational airports or reliever training airstrips in accordance with regulations of the department if the county or city supplies the land and maintains and operates all facilities of such airport or airstrip.

## Special Aviation Fund; Payments to State College or University Branch

21685. Any public entity may pay any part of the money in its special aviation fund to a state college or branch of the University of California located within its boundaries to be expended for the same purposes as the public entity may expend such money. Any money paid to a state college or branch of the University of California shall be expended within the public entity paying the money.

## Audit of Books and Records of Public Agencies

21686. It shall be the duty of any public entity receiving payments or allocations under this article to periodically audit its books and records as deemed necessary by the department for the purpose of determining that the money received has been expended for the purposes and under the conditions authorized by this article.

## Airports No Longer Open to the General Public; Payments to State

21687. (a) (1) If an airport, for which payments have been made from the Aeronautics Account, ceases to be open to the general public for more than one year, the public entity to which those payments were made shall pay to the state funds equal to the amount computed by the department pursuant to paragraph (2), and those funds shall be deposited in the Aeronautics Account.

(2) (A) The department shall compute an amount equal to the total of all payments made for the airport from the Aeronautics Account during the preceding 20 years, less 5 percent of the amount of a particular payment multiplied by the number of years since the payment was made, or the unused balance, whichever is greater.

(B) The computation described in subparagraph (A) shall not include any payment the department made pursuant to Section 21682, if, upon the request of the public entity that owns and operates the airport, the department determines that the airport is not necessary to the system of public airports in this state. When making this determination, the department shall consider all of the following factors:

(i) Whether the airport is approved for night operations.

(ii) Whether the airport has an approved instrument approach procedure.

(iii) How many aircraft are based at the airport.

(iv) Whether the airport is used for airborne fire attacks.

(v) Whether the airport is used for emergency medical transportation.

(vi) What services the airport provides for the community.

(vii) The size of the community that is served by the airport.

(viii) Whether any aviation or transportation planning agency has designated the airport as having a significant role.

(ix) Whether a suitable, public-use airport is situated within a reasonable distance.

(x) Whether closure of the airport will have a negative effect on other airports.

(xi) Whether the airport is used for law enforcement purposes.

(b) This section does not apply to either of the following:

(1) An airport that is replaced by a comparable facility, as determined by the department, within a period of one year.

(2) An airport for which the department, on or after January 1, 1981, has suspended the airport permit and for which payments made pursuant to this article are being expended to correct the deficiency or condition that resulted in the suspension of the airport's permit.

## Limitation on Expenditure of Funds

21688. (a) No payments shall be made from the Aeronautics Account for expenditure on any airport or for the acquisition or development of any airport, if the department determines that the height restrictions around the airport are inadequate to provide reasonable assurance that the landing and taking off of aircraft at the airport will be conducted without obstruction or will be otherwise free from hazards.

Height restrictions shall be considered adequate if as a minimum they meet the obstruction standards of subchapter C of Part 77 of the Federal Aviation Regulations of the Federal Aviation Administration, as these standards apply to civil airport imaginary surfaces related to runways.

The airport-owning entity shall have sufficient control over obstructions in the airspace in the vicinity of the airport to assure that height restrictions can be maintained. This control may be in the form of ownership of any land from which obstructions may rise, air navigation easements to guarantee maintenance of restrictions, or height limitation or land use zoning which will prohibit obstructions which would violate the obstruction standards.

(b) This section shall not prevent or prohibit the department from assisting any public agency or public entity in planning airport development or in planning the zoning needs around an airport.

# Article 4.5. Airport Facilities and Concessions

## Legislative Findings

21690.5. The Legislature finds and declares as follows:

(a) The proper operation of California's publicly owned or operated airports is essential to the welfare of the state and its people.

(b) California's publicly owned or operated airports establish a vital transportation link between the state and the economic systems of the nation and the world, and enable the state to enjoy and provide the benefits of an international tourist and commercial center.

(c) The economic validity and stability of California's publicly owned or operated airports is, consequently, a matter of statewide importance.

(d) The policy of this state is to promote the development of commerce and tourism to the end of securing to the people of this state the benefits of these activities conducted in the state.

(e) Therefore, since the proper operation of the state's publicly owned or operated airports is essential to the welfare of the state and its people, the Legislature recognizes and affirms such operation as a governmental function

to be discharged in furtherance of the policy of securing the benefits of commerce and tourism for the state and its people.

### Scope of Law

21690.6. The provisions of this article shall apply to any airport owned or operated by a political subdivision, including a charter city.

### Promotion of Commerce and Tourism

21690.7. The governing bodies of publicly owned or operated airports shall manage airport facilities and grant airport concessions in furtherance of the development of commerce and tourism in or affecting the state. In managing facilities and granting concessions for services to the public, such airport governing bodies shall promote the development of commerce and tourism by (a) securing a diversity of airport services; (b) avoiding wasteful duplication of such services; (c) securing to the users of airports safe, courteous, and quality service; (d) limiting or prohibiting business competition which is destructive of the ends of promoting commerce and tourism in the state; (e) allocating limited airport resources to promote such ends; and (f) fostering California's image as a commercial and tourist center.

### Exclusive Agreements

21690.8. The Legislature recognizes that to further the policies and fulfill the objectives stated in this article, it is often necessary that publicly owned or operated airports enter into exclusive or limited agreements with a single operator or a limited number of operators. The governing bodies of publicly owned or operated airports shall grant exclusive or limited agreements to displace business competition with regulation or monopoly service whenever the governing body determines, in consideration of the factors set forth in Section 21690.9, that such agreements are necessary to further the policies and to fulfill the objectives stated in this article. The Legislature contemplates that publicly owned or operated airports will grant exclusive or limited agreements in furtherance of the policy of this state to displace business competition by exclusive or limited agreements to fulfill these policies and objectives.

### Determination of Necessity

21690.9. Before entering any exclusive or limited agreement in connection with the management of any airport facility or the operation of any airport concession, the governing body of a publicly owned or operated airport shall, under authority hereby expressly delegated by the state, determine the necessity for an exclusive or limited agreement. The governing body shall consider the following factors to determine the necessity for an exclusive or limited agreement to further the policies and objectives stated in this article:

(a) Public safety.
(b) Public convenience.
(c) Quality of service.
(d) The need to conserve airport space.
(e) The need to avoid duplication of services.
(f) The impact on the environment or facilities of the airport as an essential commercial and tourist service center.
(g) The need to avoid destructive competition which may impair the quality of airport services to the public, lead to uncertainty, disruption, or instability in the rendering of such services, or detract from the state's attractiveness as a center of tourism and commerce.

In making its determination, the airport operator shall not be required to take evidence or to make findings of fact.

### Compliance with Other States

21690.10. Nothing in this article shall excuse any local agency from complying with applicable state or local requirements for competitive bidding or public hearings which may be required prior to the awarding or entering into of any bid, agreement or lease.

## Article 5. Los Angeles International Airport Relocation and Development

### Legislative Findings

21690.20. The Legislature hereby finds that Los Angeles International Airport is one of the important air terminals of the world, making a significant contribution daily to the economy of California.

Since 1959, jet air traffic at the airport has increased from 80 flights daily to nearly 1,000 daily. This increasing air traffic and necessary expansion of airport facilities has had an adverse affect on the residents of the surrounding

areas. Expansion and development has and is expected to require the acquisition of many homes in the vicinity of the airport and has rendered other homes in areas subjected to aircraft noise nearly uninhabitable. Property owners in the vicinity of the airport are either unable to sell their homes or able to sell only at depressed market prices. Under present laws, the Department of Airports of the City of Los Angeles is required only to pay homeowners "fair market value" for their property. With increasing property costs and current high interest rates, it is impossible for a homeowner to purchase a comparable dwelling in a comparable residential area for amounts now being paid as "fair market value."

The City Council of the City of Los Angeles has initiated this legislation to enable the city to (1) assist displaced homeowners to relocate in comparable residential areas and housing, (2) provide, where available, replacement housing acceptable to affected homeowners, and (3) purchase affected homes to compensate homeowners for the depressed values of their property.

There is precedent for the provision of replacement housing, where available, in Chapter 953 of the Statutes of 1968, by which the Department of Public Works is authorized to provide relocation assistance and replacement housing to certain individuals and families displaced because of construction of certain state highway projects. Further, there is precedent for relocation payments to compensate certain homeowners in Public Law 90-495 and in Chapter 3 of the Statutes of 1968, First Extraordinary Session.

## Definitions

21690.21. Unless the context otherwise requires, the following definitions shall govern the construction of this article:

(a) "Airport" means Los Angeles International Airport.

(b) "Department" means the Department of Airports, City of Los Angeles.

(c) "Mayor" means the Mayor of the City of Los Angeles.

(d) "Board" means the Los Angeles International Airport Property Acquisition Board.

## Authority of Department

21690.22. Notwithstanding any other provision of law, the department is authorized to:

(a) Assist homeowners displaced by the expansion of the airport to relocate in comparable residential areas and housing.

(b) Provide, where available, replacement housing acceptable to affected homeowners.

(c) Purchase affected property to compensate homeowners for the depressed values of their property as a result of the proximity of the airport to enable such homeowners to purchase comparable housing under more normal market conditions.

## Expenditure of Available Funds

21690.23. The department is authorized to expend any available funds, including state and federal funds, for the purpose of purchasing homes from homeowners displaced by the expansion of the airport and relocating or providing suitable replacement housing for such persons, notwithstanding any other provision of law.

## Petition for Payment of Additional Compensation

21690.24. Upon establishment of a program for additional payments to homeowners by the department pursuant to this article, the affected property owners may petition as provided in Section 21690.26 for the payment of additional compensation for the depressed value of the affected property resulting from the presence and operation of the airport, provided that such owner has not previously recovered any sums in the nature of an inverse condemnation award by reason of the presence and operation of the airport.

## Appointment of Board

21690.25. Upon establishment by the department of a program for such additional compensation, the mayor shall appoint, subject to the approval of the city council, five persons who shall constitute the board.

## Tenure of Board; Quorum; Duties

21690.26. The members of the board shall serve at the pleasure of the mayor, and any action taken by a majority thereof shall constitute the action of the board. The board shall hear petitions from homeowners dislocated by reason of airport expansion and operations for amounts to be paid in excess of market value of affected property. The board shall establish procedures for the conduct of its business.

### Payment of Awards
21690.27. The Board of Airport Commissioners of the City of Los Angeles is directed to pay any sum awarded by the board pursuant to Section 21690.26.

### Persons Eligible; Time for Filing Petition; Time for Payment
21690.28. The provisions of this article are available only to persons who own residential property which has been or is being condemned or sold for airport purposes. Petitions for additional compensation may be filed with the board at the same time that condemnation proceedings or acquisition negotiations are initiated; and the board shall pay any sum awarded pursuant to Section 21690.26 within 60 days after condemnation or other acquisition proceedings are completed.

### Partial Invalidity
21690.29. If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the article which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

## Chapter 5. Proceedings

### Investigation, Inquiries, and Hearings
21692. The department, any member, the director, or any officer or employee of the department designated by it may hold investigations, inquiries, and hearings concerning matters covered by this part and the rules and orders of the department, and concerning accidents in aeronautics within this state. Hearings shall be open to the public and, except as provided in Section 21691, shall be held upon such call or notice as the department deems advisable. Each member of the department, the director, and every officer or employee of the department designated by it to hold any inquiry, investigation, or hearing may administer oaths and affirmations, certify to all official acts, issue subpoenas, and order the attendance and testimony of witnesses and the production of papers, books, and documents. If any person fails to comply with any subpoenas or order issued under the authority of this section, the department or its authorized representative may invoke the aid of any court of general jurisdiction. The court may order such person to comply with the requirements of the subpoena or order to give evidence touching the matter in question. Failure to obey the order of the court may be punished by the court as contempt.

### Reports of Investigations and Hearings
21693. In order to facilitate the making of investigations by the department in the interest of public safety and promotion of aeronautics, the reports of investigations or hearings or any part of the reports, shall not be admitted in evidence or used for any purpose in any suit, action, or proceeding growing out of any matter referred to in the investigation, hearing, or report, except in case of any suit, action, or proceeding, civil or criminal, instituted by or in behalf of the department or in the name of the state under the provisions of this part or other laws of the state relating to aeronautics. Any member of the department, the director, or any officer or employee of the department shall not be required to testify to any facts ascertained in, or information gained by reason of, his official capacity, nor be required to testify as an expert witness in any suit, action, or proceeding involving any aircraft. Subject to these limitations, the department may make available to appropriate federal, state, and political subdivision agencies information and material developed in the course of its investigations and hearings.

### Orders of Department; Contents; Service; Review
21694. Every order of the department requiring performance of certain acts or compliance with certain requirements shall set forth the reasons, state the acts to be done or requirements to be met, and be served upon the person affected either by registered mail or in person. Any person aggrieved by an order of the department may have the action of the department reviewed by the courts in the manner provided by law.

## Chapter 6. Airport Planning

### California Aviation System Plan
21701. The division, in consultation with transportation planning agencies as designated by the director pursuant to Section 29532 of the Government Code, shall prepare a California Aviation System Plan, which shall include, but not be limited to, every California airport designated in the federal National Plan of Integrated Airport Systems and any other existing or proposed public use airports, as designated by the division.

## Elements in Plan

21702. The California Aviation System Plan shall include, but not be limited to, all of the following elements:

(a) A background and introduction element, which summarizes aviation activity in California and establishes goals and objectives for aviation improvement.

(b) An air transportation issues element, which addresses issues such as aviation safety, airport noise, airport ground access, transportation systems management, airport financing, airport land use compatibility planning, and institutional relationships.

(c) A regional plan alternative element, which consists of the aviation elements of the regional transportation plans prepared by each transportation planning agency. This element shall include consideration of regional air transportation matters relating to growth, capacity needs, county activity, airport activity, and systemwide activity in order to evaluate adequately the overall impacts of regional activity in relation to the statewide air transportation system. This element shall propose general aviation and air carrier public use airports for consideration by the commission for funding eligibility under this chapter.

(d) A state plan alternative element, which includes consideration of statewide air transportation matters relating to growth, including, but not limited to, county activity, airport activity, and systemwide activity in order to evaluate adequately the state aviation system and to designate an adequate number of general aviation and air carrier public use airports for state funding in order to provide a level of air service and safety acceptable to the public.

(e) A comparative element, which compares and contrasts the regional plan alternative with the state plan alternative, including, but not limited to, airport noise, air quality, toxic waste cleanup, energy, economics, and passengers served.

(f) A 10-year capital improvement plan for each airport, based on each airport's adopted master plan if the airport has a master plan, approved by the applicable transportation planning agency, and submitted to the division for inclusion in the California Aviation System Plan.

(g) Any other element deemed appropriate by the division and the transportation planning agencies.

(h) A summary and conclusion element, which presents the findings and recommended course of action.

## Submittal to Commission

21703. The division shall submit the California Aviation System Plan to the commission.

## Periodic Revision of Plan

21704. The division, in consultation with the transportation planning agencies, shall biennially revise the capital improvement plan developed pursuant to subdivision (f) of Section 21702, and the division shall submit the revised capital improvement plan to the commission. The division, in consultation with the transportation planning agencies, shall revise all other elements of the California Aviation System Plan every five years, and shall submit the revised system plan to the commission.

## Adoption of Revisions by Commission

21705. The commission shall review, hold public hearings on, and, based on these hearings, adopt or revise and adopt as revised, the California Aviation System Plan and its subsequent revisions.

## Project Funding Applications

21706. The division shall require that every project submitted for funding from the Aeronautics Account in the State Transportation Fund shall be consistent with the California Aviation System Plan. Applications for funding shall be processed in accordance with the procedures adopted by the commission. In determining the priorities of projects, the division shall, and the transportation planning agencies may, utilize the methodology adopted by the commission for determining the priorities of projects that the commission selects for allocation pursuant to Sections 21683 and 21683.2 and the procedures adopted by the commission.

## Federal Grant Funds

21707. Any funds necessary to carry out Sections 21701, 21702, and 21704 shall be obtained from federal grants, except for updates of the capital improvement plan and policy elements of the California Aviation System Plan, which may be funded from nonfederal sources.

# FAR PART 77 -- SAFE, EFFICIENT USE, AND PRESERVATION OF THE NAVIGABLE AIRSPACE



**Authority**: 49 U.S.C. 106 (g), 40103, 40113-40114, 44502, 44701, 44718, 46101-46102, 46104.

## Subpart A--General

**Sec. 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.

**Sec. 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

**Sec. 77.5 Applicability.**

(a) If you propose any construction or alteration described in Sec. 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 Sec. 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.

**Sec. 77.7 Form and time of notice.**

(a) If you are required to file notice under Sec. 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.

**Sec. 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.

**Sec. 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

**Sec. 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.

**Sec. 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 Sec. 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.

**Sec. 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 Sec. 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.

**Sec. 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.

**Sec. 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.

**Sec. 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

**Sec. 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 Sec. 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.

**Sec. 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.

**Sec. 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.

**Sec. 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 Sec. 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.

**Sec. 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.

**Sec. 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

**Sec. 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.

**Sec. 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 Sec. 77.31, or a revision or extension of the determination under Sec. 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.

**Sec. 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.

AGT. # 08-623

**MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF FRESNO AND THE COUNCIL OF FRESNO COUNTY GOVERNMENTS (COG)**

THIS MEMORANDUM OF UNDERSTANDING (hereinafter "MOU") is made and executed this 28th day of October, 2008, by and between the COUNTY OF FRESNO, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), and the COUNCIL OF FRESNO COUNTY GOVERNMENTS (COG), a voluntary association of local governments in the County of Fresno (hereinafter referred to as "COG").

WITNESSETH

WHEREAS, COUNTY wishes to transfer staffing and administrative support functions of the Fresno County Airport Land Use Commission (ALUC) from the Department of Public Works and Planning to COG; and

WHEREAS, the ALUC serves the Fresno County region by assisting local agencies in attempting to ensure, to the extent possible given the parameters of the ALUC's jurisdiction as defined by statute, the compatibility of proposed land uses in the vicinity of the nine public use airports located within Fresno County; and

WHEREAS, COG is a voluntary association of local governments, one of 25 in California and 522 nationwide, whose responsibility is to foster intergovernmental communication and coordination, undertakes comprehensive regional planning with an emphasis on transportation, provides for citizen involvement in the planning process and supplies technical services to its member governments; and

WHEREAS, in 2007, COUNTY and COG engaged in discussions to consider the possibility of transferring staffing and administrative support functions of the ALUC to COG and both staffs acknowledge that such a transfer is appropriate given COG's established regional transportation emphasis; and

WHEREAS, COG Transportation Technical Committee, Policy Advisory Committee, and Policy Board support the transfer of administrative/staffing

responsibilities for the ALUC from COUNTY Department of Public Works and Planning to COG and desire to conduct the transfer for an initial period of one (1) year as a trial, after which the arrangement may be continued by mutual consent; and

WHEREAS, at the present time, the following three California Council of Government Associations (COGs) provide staffing and/or administrative support functions to the Airport Land Use Commission in their respective areas: the Association of Monterey Bay Area Governments, the Sacramento Area Council of Governments and the Santa Barbara County Association of Governments; and

WHEREAS, it is mandated by controlling statutory provisions (specifically Public Utilities Code §21670, *et seq.*) that the membership of the ALUC shall be comprised of seven (7) commissioners consisting of two city representatives, appointed by a city selection committee, two County representatives, appointed by the Board of Supervisors, two aviation experts, appointed by a selection committee comprised of the managers of the public use airports, and one representative of the general public appointed by the other six members of the commission; and

WHEREAS, current ALUC membership would not change with the transfer of staffing and administrative support functions of the ALUC from the Department of Public Works and Planning to COG; and

WHEREAS, COG's assumption of the ALUC's staffing and administrative functions is both complementary to COG's current duties and consistent with the organization's broad purpose for regional transportation planning.

NOW, THEREFORE, COUNTY and COG do hereby agree as follows:

ARTICLE I

COG RESPONSIBILITIES

COG represents that it is qualified, willing and able to perform the following staffing and administrative duties in support of the ALUC for a period of one calendar year:

1.1 Coordinating with local agency staff to obtain information regarding

specific projects to be reviewed by the ALUC.

1.2 Providing general assistance to local agency staff regarding airport compatibility issues and determining if projects need to be reviewed by the ALUC.

1.3 Working with ALUC chairman regarding meeting schedules and agendas and polling commissioners for availability to meet as a quorum.

1.4 Preparing (and forwarding advance copies to Commission members and other interested persons as appropriate) and presenting at meetings of the ALUC, all of the following: staff reports, meeting calendars, resolutions, and meeting agendas.

1.5 Issuing and posting required public notices of pending commission actions; updating the rosters of the Commission and the list of other interested persons having requested special notice or meetings and/or agendas; and amending/updating the Commission's Rules of Order.

1.6 Scheduling and related arrangements for setting up hearings or specific agenda items, including reserving the Board of Supervisors' chambers for meetings; recording the minutes of meetings; and preparing action summaries as appropriate to document the action taken by the Commission upon conclusion of its hearing of a specific item.

1.7 Notifying local agencies of commission decisions on items submitted for review.

1.8 Issuing and collecting State Conflict of Interest Statements (Form 700), and submitting completed forms from ALUC commissioners and proxies to the Clerk to the Fresno County Board of Supervisors.

1.9 Preparing and submitting semi-annual ALUC reports to the Director of the Department of Public Works and Planning, as public documents, in accordance with the oversight responsibilities retained by the County pursuant to the governing provisions of the Public Utilities Code: (a) the dates of the meetings; (b) the dates and subjects of workshops/tours; (c) the categories of matters acted upon by the ALUC; (d) the voting record of the ALUC and its members on each agenda item considered; and (e)

upcoming issues of major importance.

ARTICLE II

COUNTY RESPONSIBILITIES

2.1 The COUNTY shall make arrangements with COG staff to provide appropriate training and if requested by COG, County staff will also attend ALUC hearings for a period of six (6) months, unless a longer period is deemed necessary by mutual agreement between COG and COUNTY.

2.2 In the course of providing such training, COUNTY staff shall make available to COG staff all documents, studies, and other information in its possession determined by County staff to be relevant in facilitating an orderly and effective transfer and assumption by COG staff of the administrative and staffing functions of the ALUC enumerated in the preceding Article I.

2.3 COUNTY staff, whenever requested by COG at any time throughout the initial one-year term of this MOU, shall review agendas, staff reports, hearing action summaries, determinations of consistency, and any other ALUC related documents prepared by COG, and shall provide comments as appropriate.,

2.4 The COUNTY shall make available to COG the Board of Supervisors' Chambers, Hall of Records, Room 301, 2281 Tulare Street, Fresno, CA 93721, to hold regularly scheduled ALUC hearings, on a bi-monthly basis, with scheduled dates and times to be determined through coordination with the Clerk to the Board of Supervisors. Special ALUC hearings shall be accommodated according to the availability of the Board Chambers at the time of the request for reservation from COG through coordination with the Clerk to the Board of Supervisors.

ARTICLE III

EXPENSES

It is understood and agreed between the parties that that there will be no payments by COUNTY to COG for ALUC staffing and administrative expenses, incurred

by COG pursuant to the provisions of this MOU, which are hereby assumed by COG in their entirety.

## ARTICLE IV

## NOTIFCATION

COUNTY shall notify California Department of Transportation's Division of Aeronautics ("Caltrans Aeronautics") in writing of the transfer of ALUC administrative support to COG upon execution of this Memorandum of Understanding (MOU) and send a copy to the Chairman of the ALUC (Exhibit 2). The address for Caltrans Aeronautics is listed below.

Department of Transportation
Division of Aeronautics, MS # 40
P. O. Box 942874
Sacramento, CA 94274-0001

## ARTICLE V

## GENERAL PROVISIONS

5.1 Term of MOU

The term of this MOU shall become effective as of the date of execution by COUNTY, following execution hereof by COG, and shall remain in full force and effect for a period of one (1) year subject to extension as provided hereinafter per provisions of Subsection 5.1.1, unless terminated as provided for in Section 5.2 of this agreement .

In addition, should any portion of this MOU be declared invalid or inoperative by a court of competent jurisdiction, this MOU shall be construed as not containing such provision, and all other provisions which are otherwise lawful shall remain in full force and effect, and to this end the provisions of this MOU are hereby declared to be severable.

5.1.1 Extension

The one (1) year term may be extended by an affirmative action by the COG Board prior to completion of the first year. Action by the COG Board to extend the

MOU will continue the terms of this MOU in full force and effect until terminated by either party as hereinafter provided.

5.2 Termination

This agreement may be terminated by either party upon appropriate written notice to the other party, which shall be a minimum of 60 days' notice if given during the initial one-year trial term, and a minimum of 120 days' notice if given at any time thereafter. If this agreement is terminated at any time after the three-year anniversary of its effective date, such that staffing and support functions of the ALUC revert back to the County, then COG shall provide reciprocal training and materials (consistent with the responsibilities detailed in Sections 2.1 and 2.2 above) to County staff, upon COUNTY's request.

5.2.1 Termination Due to Changes in Law

The purpose of this MOU is to transfer staffing and support functions of the ALUC, a net County cost activity, to the COG, which is responsible for fostering intergovernmental communication, coordination and regional transportation planning within Fresno County. Accordingly, it is mutually understood and agreed that this MOU may, by mutual agreement, be terminated should changes occur subsequent to the execution of this MOU in controlling statutory or decisional law, or in state administrative regulations, which negate the basic tenets underlying the parties' execution of this MOU.

5.3 Modification

This MOU and all of the covenants and conditions set forth herein may be modified or amended only by a writing executed by the duly authorized representatives of COUNTY and COG.

5.4 Enforcement

COUNTY and COG each acknowledge that this instrument cannot bind or limit either party in the exercise of its respective discretion and authority. However, each party hereby represents its intention to carry out the intent and purposes of this MOU to

the fullest extent consistent with such party's legal responsibilities and obligations.

5.5 Entire MOU

With respect to the subject matter hereof, this MOU supersedes any and all previous negotiations, proposals, commitments, writings, understandings and agreements of any nature whatsoever between COUNTY and COG except as otherwise expressly provided herein.

5.6 Notice

All notices, required to be provided by the parties to this MOU shall be in writing and shall be delivered by first class mail or an equal or better form of delivery to the respective parties at the following addresses:

COUNTY
Director
Department of Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

COG
Executive Director
Council of Fresno County Governments
2035 Tulare Street
Suite 201
Fresno, CA 93721

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IN WITNESS WHEREOF, the parties hereto have executed this MOU in the County of Fresno, State of California, as of the day and year first above written.

COUNTY OF FRESNO, a Political

COUNCIL OF FRESNO COUNTY GOVERNMENTS (COG), a Voluntary

Subdivision of the State of California
("COUNTY")

OCT 28 2008

By: _____
Henry R. Perea, Chairman,
Board of Supervisors

ATTEST:
Bernice E. Seidel,
Clerk to the Board of Supervisors

By: _____ (Deputy)

REVIEWED AND RECOMMENDED
FOR APPROVAL
John Navarrette,
Interim County Administrative Officer

By: _____

REVIEWED AND RECOMMENDED
FOR APPROVAL

By: _____
Alan Weaver, Director
Department of Public Works and
Planning

APPROVED AS TO LEGAL FORM:
Janelle E. Kelley, Interim County Counsel

By: _____
Michael E. Rowe, Senior Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
Auditor-Controller/Treasure-Tax Collector

By: _____
Vicki Crow, C.P.A.

G:\4360Devs&Pln\PLANNING\AVIATION\ALUC\Board Items\ALUC-COG\Draft MOU.doc

Association of Local Governments
("COG")

By: _____
Trinidad M. Rodriguez, Chairman
Policy Board
Council of Fresno County
Governments (COG)

APPROVED AS TO LEGAL FORM
Kevin Briggs, Chief Deputy County
Counsel for Council of Fresno County
Governments (COG)

By: _____

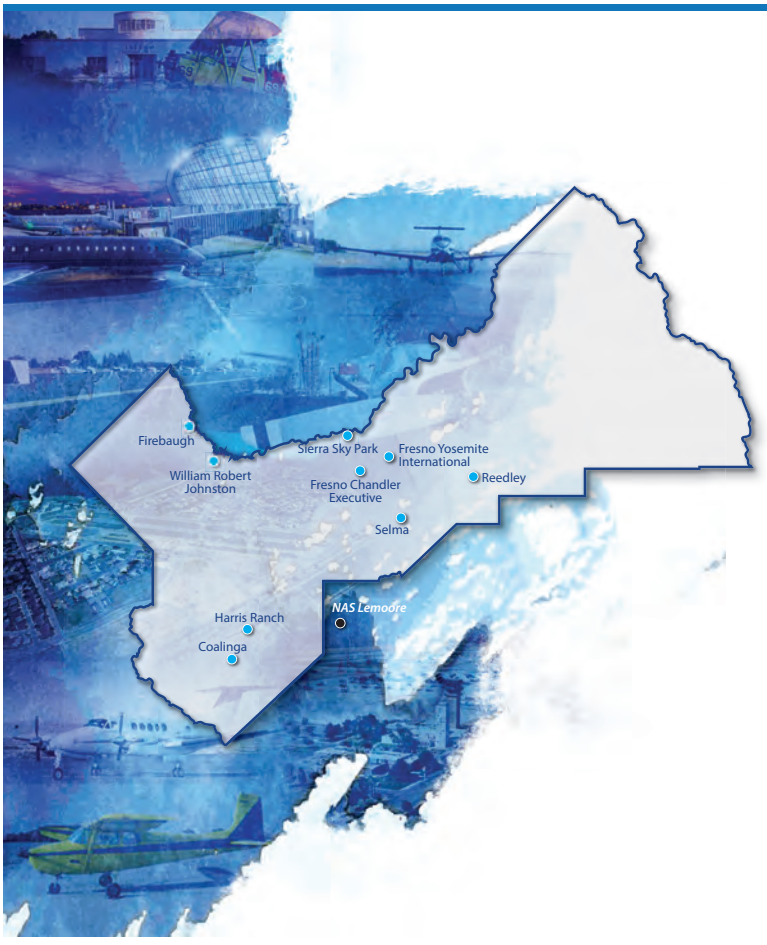
ATTEST:
Tony Boren, Executive Director
Council of Fresno County
Governments (COG)

By: _____

Fresno Council
of Governments

## Appendix N

# GLOSSARY OF LAND USE COMPATIBILITY TERMS



# Appendix N
# GLOSSARY OF NOISE COMPATIBILITY TERMS

**A-WEIGHTED SOUND LEVEL - A sound pressure level,** o. en noted as dBA, which has been frequency filtered or weighted to quantitatively reduce the effect of the low frequency noise. It was designed to approximate the response of the human ear to sound.

**AMBIENT NOISE** - The totality of noise in a given place and time — usually a composite of sounds from varying sources at varying distance; no particular sound is dominant.

**APPROACH LIGHT SYSTEM (ALS)** - An airport lighting facility which provides visual guidance to landing aircraft by radiating light beams in a directional pattern by which the pilot aligns the aircraft with the extended centerline of the runway on the final approach for landing.

**ATTENUATION** - Acoustical phenomenon whereby a reduction in sound energy is experienced between the noise source and receiver. This energy loss can be attributed to atmospheric conditions, terrain, vegetation, and man-made and natural features.

**BASE LEG** - A flight path at right angles to the landing runway off its approach end. The base leg normally extends from the downwind leg to the intersection of the extended runway centerline. See "traffic pattern."

**CFR** - Code of Federal Regulation (i.e.14 CFR Part 150)

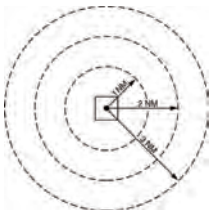
**CROSSWIND LEG** - A flight path at right angles to the landing runway off its upwind end. See "traffic pattern."

**DAY-NIGHT AVERAGE SOUND LEVEL** - See DNL.

**DECIBEL (dB)** - The physical unit commonly used to describe noise levels. The decibel represents a relative measure or ratio to a reference power. This reference value is a sound pressure of 20 micropascals which can be referred to as 1 decibel or the weakest sound that can be heard by a person with very good hearing in an extremely quiet room.

**DISPLACED THRESHOLD** - A threshold that is located at a point on the runway other than the designated beginning of the runway.

**DISTANCE MEASURING EQUIPMENT (DME)** - Equipment (airborne and ground) used to measure, in nautical miles, the slant range distance of an aircraft from the DME navigational aid.



**DNL** - The 24-hour average sound level, in A-weighted decibels, obtained after the addition of ten decibels to sound levels for the periods between 10 p.m. and 7 a.m. as averaged over a span of one year. It is the FAA standard metric for determining the cumulative exposure of individuals to noise. Also see "$L_{eq}$."

**DOWNWIND LEG** - A flight path parallel to the landing runway in the direction opposite to landing. The downwind leg normally extends between the crosswind leg and the base leg. Also see "traffic pattern."

**DURATION** - Length of time, in seconds, a noise event such as an aircraft flyover is experienced. (May refer to the length of time a noise event exceeds a specified dB threshold level.)

**EQUIVALENT SOUND LEVE**L - See $L_{eq.}$

**FINAL APPROACH** - A flight path in the direction of landing along the extended runway centerline. The final approach normally extends from the base leg to the runway. See "traffic pattern."

**FIXED BASE OPERATOR (FBO)** - A provider of services to users of an airport. Such services include, but are not limited to, hangaring, fueling, flight training, repair and maintenance.

**GLIDE SLOPE (GS)** - Provides vertical guidance for aircraft during approach and landing. The glide slope consists of the following:

1. Electronic components emitting signals which provide vertical guidance by reference to airborne instruments during instrument approaches such as ILS, or
2. Visual ground aids, such as VASI, which provide vertical guidance for VFR approach or for the visual portion of an instrument approach and landing.

**GLOBAL POSITIONING SYSTEM** - See "GPS."

**GPS - GLOBAL POSITIONING SYSTEM** - A system of 24 satellites used as reference points to enable navigators equipped with GPS receivers to determine their latitude, longitude, and altitude. The accuracy of the system can be further refined by using a ground receiver at a known location to calculate the error in the satellite range data. This is known as Differential GPS (DGPS).

**GROUND EFFECT** - The attenuation attributed to absorption or reflection of noise by man-made or natural features on the ground surface.

**HOURLY NOISE LEVEL (HNL)** - A noise summation metric which considers primarily those single events which exceed a specified threshold or duration during one hour.

**INSTRUMENT APPROACH** - 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.

**INSTRUMENT FLIGHT RULES (IFR)** -Rules governing the procedures for conducting instrument flight. Also a term used by pilots and controllers to indicate type of flight plan.

**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.

**LAAS** - Local Area Augmentation System, ground-based antennas whose precisely known locations are used to correct the satellite signals and provide greater positional accuracy as well as integrity of service to aircraft in the air. Represents the next generation of airspace management and aircraft guidance through the National Airspace System using GPS technologies.

**$L_{dn}$** - (See DNL). $L_{dn}$ used in place of DNL in mathematical equations only.

**$L_{eq}$** - Equivalent Sound Level. The steady A-weighted sound level over any specified period (not necessarily 24 hours) that has the same acoustic energy as the fluctuating noise during that period (with no consideration of a nighttime weighting.) It is a measure of cumulative acoustical energy. Because the time interval may vary, it should be specified by a subscript (such as $L_{eq}$ 8) for an 8-hour exposure to workplace noise) or be clearly understood.

**LOCALIZER** - The component of an ILS which provides course guidance to the runway.

**$L_{max}$** - Maximum Sound Level, the maximum sound level (dB) during a particular noise event.

**LOUDNESS** - The attribute of auditory sensation in terms of which sounds may be ordered on a scale extending form soft to loud.

**MISSED APPROACH COURSE (MAC)** - The flight route to be followed if, after an instrument approach, a landing is not effected, and occurring normally:

1. When the aircraft has descended to the decision height and has not established visual contact, or
2. When directed by air traffic control to pull up or to go around again.

**NOISE CONTOUR** - A continuous line on a map of the airport vicinity connecting all points of the same noise exposure level.

**NONDIRECTIONAL BEACON (NDB)** -A beacon transmitting nondirectional signals whereby the pilot of an aircraft equipped with direction finding equipment can determined his bearing to and from the radio beacon and home on or track to or from the station. When the radio beacon is installed in conjunction with the Instrument Landing System marker, it is normally called a Compass Locator.

**NONPRECISION APPROACH** - A standard instrument approach procedure providing runway alignment but no glide slope or descent information.

**PRECISION APPROACH** - A standard instrument approach procedure providing runway alignment and glide slope or descent information.

**PRECISION APPROACH PATH INDICATOR (PAPI)** - A lighting system providing visual approach slope guidance to aircraft during a landing approach. It is similar to a VASI but provides a sharper transition between the colored indicator lights.

**PROFILE** - The physical position of the aircraft during landings or takeoffs in terms of altitude in feet above the runway and distance from the runway end.

**PROPAGATION** - Sound propagation refers to the spreading or radiating of sound energy from the noise source. Propagation characteristics of sound normally involve a reduction in sound energy with an increased distance from source. Sound propagation is affected by atmospheric conditions, terrain, and man-made and natural objects.

**RESIDUAL NOISE** - is ambient noise without specific noise. The residual noise is the noise remaining at a point under certain conditions when the noise from the specific source is suppressed.

**RUNWAY END IDENTIFIER LIGHTS (REIL)** - Two synchronized flashing lights, one on each side of the runway threshold, which provide rapid and positive identification of the approach end of a particular runway.

**SEL** - Sound Exposure Level. SEL expressed in dB, is a measure of the effect of duration and magnitude for a single-event measured in A-weighted sound level above a specified threshold which is at least 10 dB below the maximum value. In typical aircraft noise model calculations, SEL is used in computing aircraft acoustical contribution to the Equivalent Sound Level ($L_{eq}$), the Day-Night Sound Level (DNL), and the Community Noise Equivalent Level (CNEL).

**SINGLE EVENT** - An occurrence of audible noise usually above a specified minimum noise level caused by an intrusive source such as an aircraft overflight, passing train, or ship's horn.

**SLANT-RANGE DISTANCE** - The straight line distance between an aircraft and a point on the ground.

**SOUND EXPOSURE LEVEL** - See SEL.

**SOUND LEVEL METER** - An instrument, which is used for the measurement of sound level, with standard frequency weighting and standard exponentially weighted time averaging.

**SPL** - Sound Pressure Level, measure of the sound pressure of a given noise source relative to a standard reference value (typically the quietest sound that a young person with good hearing can detect).

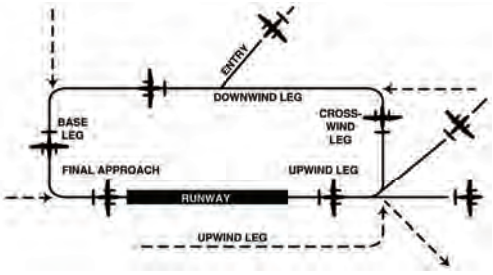
**THRESHOLD** - Decibel level below which single event information is not printed out on the noise monitoring equipment tapes. The noise levels below the threshold are, however, considered in the accumulation of hourly and daily noise levels.

**TIME ABOVE (TA**) - The 24-hour TA noise metric provides the duration in minutes for which aircraft-related noise exceeds specified A-weighted sound levels. It is expressed in minutes per 24-hour period.

**TOUCHDOWN ZONE LIGHTING (TDZ)** -Two rows of transverse light bars located symmetrically about the runway centerline normally at 100 foot intervals. The basic system extends 3,000 feet along the runway.

**TRAFFIC PATTERN** - The traffic flow that is prescribed for aircraft landing at or taking off from an airport. The components of a typical traffic pattern are the upwind leg, crosswind leg, downwind leg, base leg, and final approach.

**UNICOM** - A nongovernment communication facility which may provide airport information at certain airports. Locations and frequencies of UNICOM's are shown on aeronautical charts and publications.




**UPWIND LEG** - A flight path parallel to the landing runway in the direction of landing. See "traffic pattern."

**VECTOR** - A heading issued to an aircraft to provide navigational guidance by radar.

**VERY HIGH FREQUENCY OMNIDIRECTIONAL RANGE STATION (VOR)** - A ground-based electric navigation aid transmitting very high frequency navigation signals, 360 degrees in azimuth, oriented from magnetic north. Used as the basis for navigation in the national airspace system. The VOR periodically identifies itself by Morse Code and may have an additional voice identification feature.

**VERY HIGH FREQUENCY OMNIDIRECTIONAL RANGE STATION/TACTICAL AIR NAVIGATION (VORTAC)** - A navigation aid providing VOR azimuth, TACAN azimuth, and TACAN distance-measuring equipment (DME) at one site.

**VICTOR AIRWAY** - A control area or portion thereof established in the form of a corridor, the centerline of which is defined by radio navigational aids.

**VISUAL APPROACH** - An approach wherein an aircraft on an IFR flight plan, operating in VFR conditions under the control of an air traffic control facility and having an air traffic control authorization, may proceed to the airport of destination in VFR conditions.

**VISUAL APPROACH SLOPE INDICATOR (VASI)** - An airport lighting facility providing vertical visual approach slope guidance to aircraft during approach to landing by radiating an directional pattern of high intensity red and white focused light beams which indicate to the pilot that he is on path if he sees red/white, above path if white/white, and below path if red/red. Some airports serving large aircraft have three-bar VASI's which provide two visual guide paths to the same runway.

**VISUAL FLIGHT RULES (VFR)** - Rules that govern the procedures for conducting flight under visual conditions. The term VFR is also used in the United States to indicate weather conditions that are equal to or greater than minimum VFR

requirements. In addition, it is used by pilots and controllers to indicate type of flight plan.

**VOR** - See "Very High Frequency Omnidirectional Range Station."


**VORTAC** - See "Very High Frequency Omnidirectional Range Station/Tactical Air Navigation."

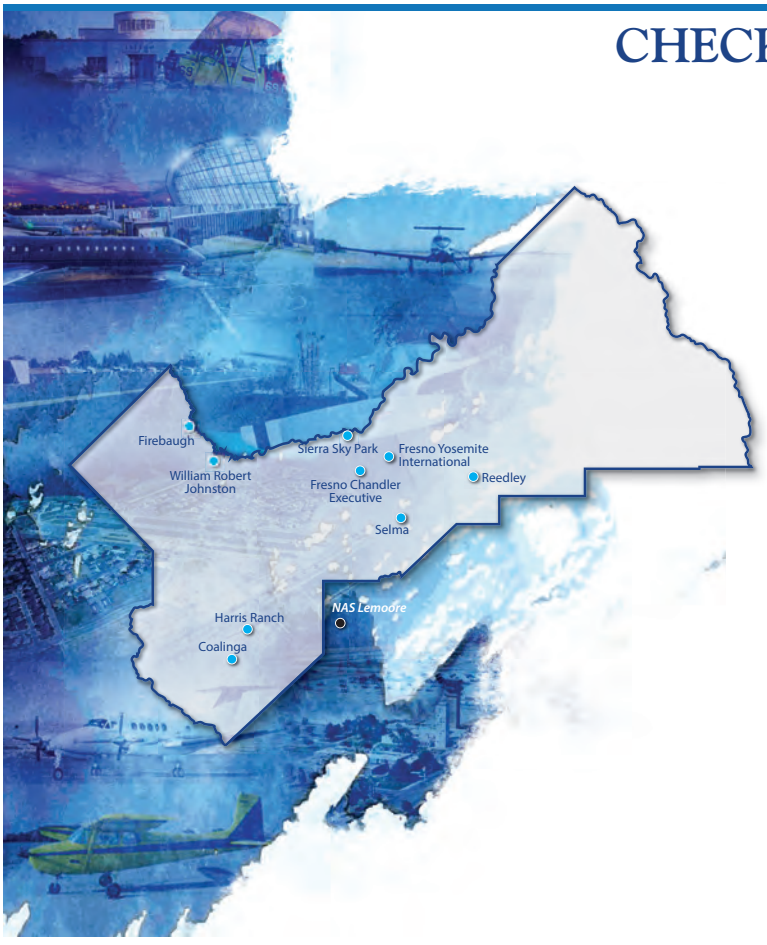
**WAAS** - Wide Area Augmentation System, ground-based antennas whose precisely known locations are used to correct the satellite signals and provide greater positional accuracy as well as integrity of service to aircraft in the air. Given the current difficulties with WAAS, LAAS now has higher priority for implementation at U.S. airports.

**YEARLY DAY-NIGHT AVERAGE SOUND LEVEL** - See DNL.

Fresno Council of Governments

# Appendix P

# CHECKLIST OF ALUCP CONTENTS



# Appendix P: Checklist of ALUCP Contents

| | Checklist Item | Reference Location |
|---|---|---|
| **Scope of the Plan** — In a preface or introductory chapter, provide a clear statement describing the scope and function of the plan. Specifically: | | |
| | Purpose and Authority: Refer to PUC statute that requires the formation of ALUCs and requires preparation of an ALUCP. | Page 1-1 |
| | Include the resolution that formed the ALUC and the resolution that adopts this ALUCP. | Appendix M |
| | The plan's purpose should be defined as a vehicle for conducting airport land use compatibility planning. | Page 1-1 |
| | Airport Identification: List the airport(s) addressed by the plan and the city or unincorporated county in which they are located. | Page 1-1 |
| | Airport Influence Area: Provide a general description and map of the area that comprises the jurisdiction of the ALUC. | Exhibits A1, B1, C1, D1, E1, F1, G1, H1, J1, K1 |
| | Also include a map covering the planning boundary of the ALUCP if it varies from the AIA boundary. | Not Applicable |
| | Jurisdictions Affected: Identify all local jurisdictions and any military facilities that are affected by the ALUCP. Listing the general and specific plans of local jurisdictions also may be valuable. | Appendices A through K |
| | Limitations of the Plan: Note the limitations on ALUC jurisdiction over existing land uses; state, federal and tribal land; and airport operations as stated in the law and how they are applied by the individual ALUC. | Page 1-8 |

| | | |
|---|---|---|
| **Airport Information** — Include essential information about the airport(s) that shows the ALUCP has been based upon an FAA-adopted AMP or ALP. | | |
| | Planning Status: Indicate the FAA approval date of the current ALP and activity forecasts (see below). | Appendices A through J |
| | Indicate local government or airport adoption date for the AMP. | Appendices A through J |
| | ALP: Include a copy of the FAA-approved ALP. | Exhibits A4, B4, C4, D4, E4, F4, G4, H4, J4 |
| | Airport Activity: Document existing and projected airport operational levels. Include data indicating the known or estimated distribution of operations by type of aircraft, time of day, and runway used. As necessary, extend the 20-year forecasts included in adopted AMPs to ensure that the ALUCP reflects the anticipated growth of airport activity over a 20-year period. | Tables A1, B1, C1, D1, E1, F1, G1, H1, J1 |
| **Compatibility Policies and Criteria** — State all policies and criteria as clearly, precisely, and completely as possible, in a separate chapter from the background information. As appropriate, use tables to present primary criteria. Address each of the following compatibility concerns: | | |
| | Noise: Indicate maximum normally acceptable exterior noise levels for new residential and other noise-sensitive land uses. Note interior noise level standards. | Table 3B |
| | Overflight: Indicate how aircraft overflight noise concerns are addressed. | §3.5 |
| **Compatibility Policies and Criteria *(Continued)*** | | |
| | Safety: Indicate maximum acceptable land use densities and intensities and the manner in which they are to be measured. List any uses explicitly prohibited from certain zones. | Table 3A |
| | Airspace Protection: Note reliance upon FAR Part 77 and Terminal Instrument Procedures (TERPS) if relevant. If applicable, indicate policies addressing objects where ground level exceeds FAR Part 77 criteria. List criteria regarding hazards to flight such as bird strikes, solar panels, wind turbines, stationary smoke plumes, and electronic interferences with flight operations. | §3.4 |
| **Compatibility Zone Maps** — For each airport, provide either a composite compatibility zone map or individual compatibility zone maps. On base map, identify roads, water courses, section lines, and other major natural and man-made features. | | |
| | Showing the local government zoning as a background layer is also helpful. | Exhibits A1, B1, C1, D1, E1, F1, G1, H1, J1, K2 |
| | Noise Contours: Show CNEL contours to be used for planning purposes. | Exhibits A1, B1, C1, D1, E1, F1, G1, H1, J1, K3 |
| | Compatibility Policies: If compatibility policies are based on separate assessment of compatibility concerns, indicate boundaries and dimensions of safety zones. When basing zones on guidelines in Chapter 3 of this Handbook, make adjustments as appropriate to reflect traffic pattern locations and other factors particular to each individual airport. | Appendix A |
| | FAA Airspace Protection Surfaces: Include map derived from FAR Part 77 standards to indicate allowable heights of objects relative to the airport elevation. Indicate locations where ground exceeds these limits. Base map should show topography. | Exhibits A3, B3, C3, D3, E3, F3, G3, H3, J3, K4 |

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|---|---|---|
| | Composite Compatibility Zones: When using compatibility criteria representing a composite of the above individual compatibility concerns (noise, overflight, safety, and airspace protection), provide a map showing the boundaries of each zone. Indicate distances of boundaries from the airport runways. | Not Applicable |
| | Airport Influence Area: Clearly identify the AIA boundary on a map and with a written description. | Exhibits A1, B1, C1, D1, E1, F1, G1, H1, J1, K1 |
| **Review Policies** — Describe the process and list the steps that the ALUC will use in reviewing local government plans and projects. | | |
| | Types of Actions for ALUC Review: List the types of local government plans or projects that are to be submitted to the ALUC. Distinguish between mandatory and voluntary submittals. | §4.1.6.4 and §4.1.7 |
| | Project Information: List the types of information to be included when a project or plan is submitted for an ALUC consistency decision. | Appendix L |
| | Timing: Define when ALUC reviews are to be conducted and the time limits within which the ALUC must respond. | §2.6.3 |
| | ALUC Staff Responsibilities: Define staff duties in the ALUC compatibility review process. | Throughout |
| **Preliminary Review of Plans and Projects for Consistency determinations** —If applicable, describe the steps involved when an affected local jurisdiction requests the ALUC to provide a preliminary assessment of the general plans, specific plans, and relevant land use ordinances and regulations prior to their official submission for an ALUC determination. | | Not Applicable |
| **Land Use Information** — Include maps such as the following: | | |
| | Existing Land Use Development: Show locations in the airport vicinity where development exists by using current, high altitude aerial photographs and/or GIS data. | Exhibits A5, B5, C5, D5, E5, F5, G5, H5, J5, K5 |
| | Planned Land Uses: Show locations in the airport vicinity where development is planned by including current general plan and zoning maps. | Exhibits A7, B7, C7, D7, E7, F7, G7, H7, J7, K7 |
| **Discussion of Compatibility Issues** — Discuss the basic concepts and rationale behind the compatibility policies and criteria. | | |
| | Local Government Implementation: Discuss the general plan and specific plan ALUCP consistency requirement. Refer local jurisdictions to the Handbook appendices for sample implementation documents, such as Methods for Calculating Usage Intensities, Buyer Awareness Measures, and an Airport Overlay Zone Ordinance. | §1.3.3, Appendix L |
| **Supporting Materials** — For quick reference, include: | | |
| | State Aeronautics Act: Provide a copy of the current state laws pertaining to airport land use commissions (PUC Sections 21670-21679.5). Indicate the date of the most current legislative amendment. | Appendix M |
| | Federal Aviation Regulations Part 77: Provide a copy of regulations governing objects affecting navigable airspace. | Appendix M |
| | Glossary: Prepare a glossary of common aviation terms, particularly those associated with airport land use compatibility planning topics. | Appendix N |
| | A website link to the Caltrans Division of Aeronautics | Appendix L, M |


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