

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40

1120 N STREET

P.O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

www.dot.ca.gov

*Making Conservation
a California Way of Life.*

Governor's Office of Planning & Research

DEC 10 2019**STATE CLEARINGHOUSE**

November 27, 2019

Ms. Lisa Tylenda
City of Imperial
400 South Imperial Avenue, Suite 101
Imperial, CA 92251

Dear Ms. Tylenda:

Re: Negative Declaration for the Sky Ranch Airport Lots; SCH# 2019119028

The California Department of Transportation, Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety, noise, and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports. The following comments are offered for your consideration.

The project being proposed in the negative declaration is for the development of 13 aircraft hangars on a site that is contiguous to, but outside the property line of, the Imperial County Airport (IPL). The project site is located approximately 290 feet south of the centerline and end of Runway 8 at IPL.

In accordance with CEQA, Public Resources Code Section 21096, the California Airport Land Use Planning Handbook (Handbook) must be utilized as a resource in the preparation of environmental documents for projects within airport land use compatibility plan boundaries or if such a plan has not been adopted, within two miles of an airport. The Handbook is a resource that should be applied to all public use airports and is available on-line at <http://dot.ca.gov/hq/planning/aeronaut/documents/alucp/AirportLandUsePlanningHandbook.pdf>

The project site is within Safety Zone 2 for IPL as defined in the Handbook. Safety Zone 2 is one of the most critical of the Handbook's airport safety zones, considered to be at "high risk" due to its proximity to the end of the runway. The Handbook normally allows low-intensity light industrial uses in this zone.

California Public Utilities Code (PUC) Section 21659 prohibits structural hazards near airports. The proposal will require submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) in accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace." Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically to the FAA.

In accordance with PUC Section 21676 *et seq.*, 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 (ALUC), the local agency shall first refer the proposed action to the ALUC. The proposed project will then need to be reviewed for consistency with the airport land use compatibility plan.

If the ALUC determines that the proposed action is inconsistent with the airport land use compatibility plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of its governing body after it makes specific findings. At least 45 days prior to the decision to overrule the ALUC, the local agency's governing body shall provide to the ALUC and the Division a copy of the proposed decision and findings. The Division reviews and comments on the specific findings a local government intends to use when proposing to overrule an ALUC. The Division specifically looks at the proposed findings to gauge their relationship to the overrule. Also, pursuant to the PUC 21670 *et seq.*, findings should show evidence that the local agency is minimizing "...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."

In addition to submitting the proposal to the ALUC, it should also be coordinated with airport staff to ensure that the proposal will be compatible with future as well as existing airport operations. The proposal should also be submitted to the FAA if the aircraft using the hangars will be passing through the airport's secure boundary in order to access the runways.

These comments reflect the areas of concern to the Division with respect to airport-related noise, safety, and regional land use planning issues. We advise you to contact our District 11 office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please contact me at (916) 654-6223, or by email at philip.crimmins@dot.ca.gov.

Sincerely,

Original Signed by

PHILIP CRIMMINS
Aviation Environmental Specialist

c: State Clearinghouse, Imperial County ALUC, Imperial County Airport (IPL)