

Minutes - Final Airport Land Use Commission

Thursday, February 10, 2022

7:00 PM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Airport Land Use Commission met on February 10, 2022 in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California, at 7:00 p.m.

Present were Commissioners Catherine Cook, Bruce DuClair, Thomas Randall, Donald Ryan, Dan Sarna, Stephen Vancil and Chairman J.W. Seiden. Staff present were Resource Management Director Terry Schmidtbauer, Resource Management Assistant Director James Bezek, Deputy County Counsel Lori Mazzella, Planning Services Manager Allan Calder (WebEx), Senior Planner Nedzlene Ferrario and Clerks Marianne Richardson and Melissa Catron.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

APPROVAL OF REMOTE TELECONFERENCING

- 1 [AC 22-001](#) Public Hearing to consider a resolution authorizing remote teleconference meetings for the period of February 10, 2022 to March 12, 2022 as a result of the continuing COVID-19 pandemic state of emergency.

Attachments: [A - Draft Resolution](#)

On a motion of Commissioner Cook, and seconded by Commissioner Vancil, the remote teleconferencing resolution for February 10 through March 12, 2022 was approved. So ordered by 7-0 vote.

APPROVAL OF AGENDA

On a motion of Commissioner Ryan, and seconded by Commissioner DuClair, the agenda as approved. So ordered by 7-0 vote.

APPROVAL OF THE MINUTES

2 [AC 22-002](#)

Attachments: [Minutes of December 9, 2021 - Draft](#)

Commissioner Cook requested revision to the December 9, 2021 minutes. The second paragraph in Commissioner Comments should read that “an update on the SMUD Wind Turbine litigation be brought back to the agenda.”

On a motion of Commissioner DuClair, and seconded by Vancil, the minutes of December 9, 2021 were approved with revision. So ordered by 7-0 vote.

REPORTS OF COMMITTEES

Resource Management Director Terry Schmidtbauer provided the Commission with a Principal Planner recruitment update, indicating that interviews will begin soon. Also, that Environmental Science Associates (ESA) is under contract for review of consistency determinations and Senior Planner Nedzlene Ferrario will be assisting in the interim.

Mr. Schmidtbauer introduced Resource Management Assistant Director James Bezek, who will be serving as ALUC Secretary in Mr. Schmidtbauer’s absence.

Chairman Seiden noted that a change of venue has been granted in the SMUD case to Contract Costa County, and asked County Counsel if any further update is available.

Ms. Mazzella responded that the case is ongoing in settlement.

ITEMS FROM THE PUBLIC

Chairman Seiden invited members of the public to address the Commission on matters not listed on the agenda but within the jurisdiction of the Commission.

Scott McLaughlin, Deputy Director of Operations for the 60th Operations Group at Travis AFB, provided a statement of the Base’s concerns with wetlands development attracting wildlife activities within the Travis air operations area and stated that in 2021, 96 bird strikes resulted in \$105,000 in aircraft damage. Mr. McLaughlin discussed FAA Circular 150/5200-33B and a Memorandum of Agreement signed by multiple federal agencies in July 2003, and requested continued ALUC advocacy in mitigating wetlands development near Travis AFB.

Commissioner Cook requested tabling further discussion of wetlands development until agenda item 4.

CONSENT CALENDAR

There were no items on the consent calendar.

REGULAR CALENDAR

OLD BUSINESS

There was no old business.

NEW BUSINESS

- 3** [AC 22-003](#) Adopt and present a Resolution recognizing Jim Leland, Principal Planner, for his years of dedicated service as staff to the Solano County Airport Land Use Commission.

Attachments: [A - Resolution](#)

Resource Management Director Terry Schmidtbauer read the resolution and provided it to Jim Leland, former Principal Planner, recognizing and honoring his work with the ALUC.

Chairman Seiden congratulated Mr. Leland and invited him to comment.

Mr. Leland thanked the Commission and discussed his work with the ALUC and Travis as his most cherished assignment. He also discussed Mr. McLaughlin’s statement and its significance at this meeting.

On a motion of Commissioner DuClair, and seconded by Commissioner Randall, the Commission adopted Resolution 22-02. So ordered by 7-0 vote.

- 4** [AC 22-004](#) Receive information on various habitat conservation efforts occurring throughout Solano County; Discuss and provide general recommendations as deemed necessary.

Attachments: [A - Habitat Project Summary and Map](#)
 [B - Habitat Restoration and Agency Summary](#)
 [C- Public Agency Contact List](#)

Mr. Schmidtbauer introduced the item as an overview of habitat restoration and conservation development efforts in reference to County airports and discussion of next steps.

Senior Planner Nedzlene Ferrario presented the update and noted the Restoration Project Contact List distributed to the Commissioners.

Commissioner Cook asked of any correlation between the increase in completed habitat projects and increase in bird strikes at Travis AFB.

Mr. McLaughlin responded that he could request bird strike data of the assault landing zone at Travis.

Responding to a question by Commissioner Cook, Mr. McLaughlin stated the flying altitude in the assault landing zone varies by maneuver, from 2,500 feet to 10,000 feet.

Responding to a question by Commissioner Cook, Mr. McLaughlin asked that the ALUC Travis Liaison reach out to him for bird strike data by year and that he could have data possibly mid next week.

Chairman Seiden stated concern of the proximity of restoration areas with water and the larger waterfowl, and given the number of bird strikes at Travis last year, it is fortunate to not have lost an aircraft. He referenced the FAA Advisory Circular and stated the restoration projects do not seem to be respecting the 5-mile protected area. Chairman Seiden stated the ALUC's obligation to protect the airports and asked the Wildlife Hazard Committee to pursue contacting the various restoration project agencies/contacts within the protected areas.

Commissioner Randall stated he attended a Delta Steward Council meeting and they were shocked to know that Travis was part of it. Further stating that the ALUC being at the table is top priority, as they were not even thought of before.

Commissioner Randall requested that the Commission meet with Travis, and to develop ground rules with plans A, B, C, etc., before contacting project agencies.

Commissioner Vancil spoke of the 5-mile guidance origin from Federal agencies, and that maybe the State environmental agencies are not coordinating with the State transportation aeronautics division. Further suggesting they reach out to the Aeronautics Division to make sure the environmental agencies are coordinating with all appropriate State agencies. Commissioner Vancil also agrees with Commissioner Randall's comment, to include the Rio Vista Airport as well.

Responding to a question by Commissioner Vancil, Ms. Mazzella stated that the ALUC does not have jurisdiction over State projects, but potentially JPA, some smaller special districts and similar agency projects could come before the ALUC for consistency determination.

Commissioner Vancil further commented on the presentation slide showing a map of green wetlands restoration encouraging more fish, and yellow areas to restore grazing land.

Mr. Schmidtbauer noted the restoration areas are either fish or waterfowl also. He also clarified the staff report map that shows a yellow area off Travis' runway as conservation areas purchased specifically to protect the runway. Mr. Schmidtbauer suggested the Commission focus on the green areas which still have a comment period.

Ms. Mazzella noted the reason for providing the Environmental Impact Report (EIR) status is that even without jurisdiction, the ALUC can comment on the California Environmental Quality Act (CEQA) analysis.

Mr. Schmidtbauer commented on potential plans A, B, C, etc., stating that a Plan B for the 5-mile area could be to design restoration areas in a manner to limit bird attractants or types of birds attracted.

Commissioner Vancil agreed indicating this was discussed (at the Delta

Steward meeting) and that the ALUC getting ahead before they put plan to paper is a good thing.

Commissioner Cook followed up to Commissioner Randall's comments that the ALUC needs to understand where projects are before contact, and the strategy should be the mitigations which need someone with expertise. She further asked who could provide that expertise, possibly Misty Kaltreider?

Mr. Schmidtbauer noted that Ms. Kaltreider has a conflict with the ALUC meeting schedule, but could be a good resource for Ad Hoc meetings as she oversees the County's habitat conservation plan. Mr. Schmidtbauer stated he will try to coordinate for Ms. Kaltreider to attend the ALUC or to meet with the Wildlife Hazard Committee.

Responding to a question by Commission Randall, Mr. Schmidtbauer discussed Ms. Kaltreider's role with the County as Manager of the Delta Water programs and did not see any issues with her discussing what can be done with habitat regardless of role, but will not advocate against her role in the County.

Responding to Commissioner Seiden's question, Mr. Schmidtbauer stated that Ms. Kaltreider is the Solano County expert on these types of projects, is a geologist in charge of the Water Committee who briefs the Board, and who prepared the majority of staff report documents.

Commissioner Seiden reminded commissioners of the Wildlife Hazard Committee members and urged its Chair, Commissioner Ryan, to take this by the horns and proceed.

Commissioner Ryan stated he has professional relationships with some of the agency contacts, and will proceed and report back to the Commission.

Chairman Seiden opened the public hearing.

Mr. Leland commented on the habitat projects and of the agencies supporting them. He further discussed options the ALUC could take such as amendments to the Travis and Rio Vista airport compatibility plans. Mr. Leland noted that when preparing the Travis plan, the 5-mile regulation was not known to the Commission, and the assault landing zone is not considered as part of the approach and departure zones. He suggested the Commission initiate a planning effort to enforce the 5-mile boundaries, then request habitat project agency input for the proposed regulations.

Mr. McLaughlin appreciated and agreed with Mr. Leland's comments and offered himself as a willing participant in conversations with state and government agencies in further discussions on wetland development around the Base. He further thanked the ALUC for their advocacy on behalf of Travis AFB.

Chairman Seiden commented that the crux of the issue is whether agencies will respect a restriction by the ALUC and in no way does it prohibit the ALUC from putting forth proposed amendments to the compatibility plans. He further asked Staff to begin the process.

Hearing no further comments on this item, Chairman Seiden closed the public

hearing.

Mr. Schmidtbauer indicated that amendments to the compatibility plans would be an extensive process, and subject to challenge; and it will require funding which he will have to explore and report back.

Commissioner Cook commented that they have not been able to update the plans due to cost and staff effort, and given the ALUC staffing vacancy, asked of any hybrid approach to address the inadequate protection at Travis and Rio Vista.

Mr. Schmidtbauer commented that the plan can be updated and the State doesn't have to follow them anyway. He further discussed ideas of doing outreach and legislative lobbying.

Ms. Mazzella commented that any amendment would require the same public process.

Responding to a question by Chairman Seiden, Mr. Schmidtbauer stated an amendment would require CEQA noticing. Ms. Ferrario stated if an EIR is required, it could take about a year (hiring a consultant, preparing and circulating the document) and that an Initial Study/Negative Declaration may take much less time and briefly discussed CEQA exemption issues.

Commissioner Randall asked if the ALUC has the budget to hire a consultant familiar with the project, such as Mr. Leland. Further stating they need to start now, with all boots on the ground knowing what to do and which direction to go.

Commissioner Vancil further asked about a hybrid approach and agrees that time is of the essence. He suggested the Wildlife Committee reach out to project agencies to determine a need to update our plan by explaining what they need to abide by, and if that is not sufficient, we may have to come up with further restrictions and update our plan. Commissioner Vancil stated that will get them engaged with us and make them realize we have a current plan, and we may have to modify or make more restrictive in some fashion.

Chairman Seiden commented on incorporating recommendations of the FAA Advisory Circular with the 5-mile regulation into the plans. Further stating that although time consuming, inaction is unacceptable and risking the forfeiture of our airport's viability.

Commissioner Sarna discussed the Rio Vista Airport and flight training center, noting the growing residential areas and increased waterfowl activity that put students, instructors, and residential areas in danger should a bird strike occur. He further noted that the Sacramento area is #1 for bird strikes in the United States.

Following Commissioner Sarna's comments, Chairman Seiden stated those are the precise issues which need to be conveyed to agencies so that they realize the impact to aviation from their proposals.

Commissioner DuClair commented that if the military has a problem, they will pick up and move Travis somewhere else; and the County would lose the biggest company paying salaries in this area.

COMMISSIONER COMMENTS

There were no Commissioner comments.

ADJOURN

This meeting of the Airport Land Use Commission adjourned at 8:13 p.m. The next regular meeting is scheduled for March 10, 2022 at 7:00 p.m.