

## Summary Minutes

### ALAMEDA COUNTY AIRPORT LAND USE COMMISSION Wednesday, October 20, 2010

Open House: 6:30 -7:00 p.m.

Study Session: 7:00-8:30 p.m.

The meeting was called to order at 7:05 p.m.

#### 1. Roll Call

Commissioners Present:

Leander Hauri  
Olden Henson  
Max Morris  
L.B. "Woody" Pereira

Red Wetherill

Kristi McKenney

Commissioners Absent:

David Needle  
John Marchand  
Deborah Ale Flint

Guests Present:

Steve Alverson, ESA  
Phil Wade, ESA  
Patty Jeffery, Placemakers  
Bob Bauman, Direct, *City of Hayward Public Works Dept.*  
Lloyd Partin, *Manager, Hayward Executive Airport*

Staff Present:

Cindy Horvath  
Maria Elena Marquez

#### 2. Approval of Minutes September 23, 2010 ALUC Meeting (Sent Under Separate Cover)

The minutes of September 23, 2010 were continued to the next meeting.

#### 3. Open Forum – *Open forum is provided for any member of the public wishing to speak on any item not listed on the agenda. Each speaker is limited to three minutes.*

#### 4. Draft Airport Land Use Compatibility Plans and Initial Studies for Oakland International and Hayward Executive Airports

- *Consultants will make a detailed presentation on the Draft ALUCPS/ISs for the Oakland and Hayward Airports to the commission and the public.*

- *Comments will be taken on the Draft Plans and Initial Studies; discussion will be facilitated by the Public Outreach Consultant.*

Philip Wade, ESA Associates and Airport Practice Group, introduced Steven Alverson, ESA Senior Vice President and Director of the Airport Practice Group. He stated that the purpose of today's meeting is to discuss the Oakland International Airport Land Use Compatibility plan and the Hayward Executive Airport Land Use Compatibility plan both of which are currently out along with the initial studies for public review. Also, they are in the midst of updating the Livermore Airport Land Use Compatibility plan and it will be out for public review within the next week or two. That plan will be visited at a future date. To provide a brief overview of what will be discussed tonight, Mr. Wade will give a general overview of the Plans followed by a discussion of the current 1986 ALUCP. Then he will describe what has changed in terms of how we consider airport land use planning since the 2002 Caltrans Airport Land Use Planning Handbook and describe how that has influenced our development of both Oakland and Hayward ALUCP. He will also briefly discuss the CEQA process which they initiated upon completion to review any environmental impacts associated with the adoption of those plans. A Power Point presentation followed.

Staff said that the City of Hayward has been engaged in updating their Airport Layout Plan (ALP) and a rezoning of the airport property for the last several years. In terms of the timing of the City's project, we thought that that approval from FAA was into the future at some point, probably early next year. However, since we released these documents a month ago for public review, she was informed by the city that in fact FAA approval is pending within the next two weeks, so this presents a bit of a decision point for us in our process. Essentially, the Commission needs to make a decision as to whether we continue on with our process, or do we delay ours and incorporate the updated Hayward Airport ALP into our Draft ALUCP before we move forward. The comment period ends for both the Oakland and the Hayward plans and the initial studies November 8. The process from there is probable adoption of the plan and findings of the Initial Study at the November 17 meeting. However, if the Commission chooses we could delay the Hayward ALUCP from continuing while we incorporate the FFA-approved ALP for the airport so that it will be the most up to date information. Staff was unsure of how long this would take, and requested this info from the consultant.

Public testimony was called for.

Bob Bauman, Public Works Director for the City of Hayward introduced himself and stated his role as being responsible for the airport. He stated that the city has been going through a public process over

the last year updating the airport plan. The primary reason that they needed to update the plan is the fact that their airport based upon its utilization is no longer a B2 classification airport; it is a C2 moving on to a D2. That makes certain things mandatory as far as safety distances, etc. The City has conducted a very extensive process. Commissioner Henson is the head of the Council Airport Committee. It is expected at this time that we already have FAA's signature because they have been involved throughout the process and have indicated to the City that they are going to sign it by the end of this month. Mr. Bauman feels it makes no sense for the ALUCP document, which is going to last for another 20 years, to have old information in it. He reviewed what things really need to change: several of the drawings that are on the wall that relate to the compatibility plan are or have been already updated on the ALP.

There is one document which the consultant went over quite a bit and that is the safety zones. That particular version was directed out of that master plan because there was one in our 2002 master plan consistent with the guidance at that time, which is identical or close to it. There are some changes that have been made to that to be consistent with the fact that we have made some changes including thresholds plus the very fact that our C2 airport changes some of those areas consistent with the Caltrans guidelines. Mr. Bauman stated that they don't see a lot of work being necessary and they already have asked the consultant to put together what that work consists of. Mr. Bauman also commented that the airport rezoning has nothing to do with the ALUCP. Clearly, that is not an issue for this group because it is on our airport property, and that has nothing to do with this compatibility plan. Mr. Bauman stated that City staff can write some of the changes to speed the process; they will give some language to the consultant describing the background and basis for why a new ALP was needed.

Public testimony was called for.

J.V. McCarthy, member of the public, said that he is concerned by Hayward's continued pattern of displacement of this airport for commercial purposes, and not necessarily airport related starting with the cross-runway elimination, and west side property that was originally part of the airport property. He felt that the same is true of the east side where was airport operations/uses were eliminated and progressively being pushed more and more into commercial. Now what we have is an over-simplified view of the zoning includes a rezoning on the south side moving further away from the aviation operations. Some conditions of the original terms of the Deed transfer from the government have not been fully complied with. This has become a very predictable pattern. There will be increased pressure to steer the Hayward Airport businesses farther and farther into the jet traffic, to increase revenue. Commissioner Hauri told Mr. McCarthy that he is getting into an area that is more airport operation.

Mr. McCarthy said that this is related to the zoning issue and finally related to the number of jets flying over San Lorenzo which is a land use issue.

Commissioner Hauri introduced Patricia Jeffery, of Placemakers consulting firm, who is the facilitator for this meeting. Ms. Jeffery described the outreach effort for this meeting. An extensive mailing process occurred to address both residences and businesses within the Oakland area as well as the Hayward area, including about 1,000 notices in addition to e-mailing various commissions and cities and county representatives. We also published the notice in last Sunday's Chronicle, the Oakland Tribune and the Daily Review. We will be doing a similar approach for the Livermore airport, and if the Commission decides to continue the Hayward airport discussion and deliberations over to the Livermore session, they will also make sure to again notice Hayward so businesses and residents will have an opportunity to attend that meeting.

Commissioner Henson asked Mr. Wade about the CEQA issues that will result from the updated ALP at the Hayward airport. The consultant said that there were no real significant CEQA issues in the current draft plans. Commissioner Henson said that that would be the case if the modifications that Hayward is asking that doesn't significantly change the CEQA document. Mr. Wade said that they have to re-evaluate that at the time. As Mr. Bauman noted that the ALUP changes that are being proposed would essentially translate to moving one of the runways to the northwest that would essentially shift some of those safety zones into new areas that are not currently covered by these zones, and by the policies that are applicable within inches of those zones. In his opinion, that will have to be re-evaluated at that time. Given the built out nature of the area it's not likely there will be any impacts. Commissioner Henson said he didn't see that much of a difference only the safety zones in comparison to the 1986 plan. Mr. Wade said that compared side by side doesn't mention the airspace protection zone which are essentially modeled after the FAA regulation part 77 surfaces, those would essentially remain the same to whatever is the currently adopted ALP. Noise contour policies are based upon the contours that have been approved by the jurisdiction or the operator of that airport and the policies within those zones. The safety zones would be the biggest changes. The theories and concept about airport land use planning have evolved since 1986, particularly with the update to the Caltrans Handbook 2002.

Commissioner Henson told Mr. Bauman that he is asking to move this over to a period of time when we look at the Livermore Plan. Mr. Bauman said that he felt it wouldn't take much time to make the changes to the document. Commissioner Henson asked Mr. Bauman how would he describe these changes. For disclosure purposes, Commissioner Henson said that he chairs the Hayward Airport Committee. Mr. Bauman said that as the consultant and he himself indicated, one of the drawings that

is not part of the ALP update is in their master plan, but they did not update it with the ALP and it needs to be updated. There is also some translation of one of the runways- it's going to make a minor change to where the various zones fall. Mr. Bauman also looked at the environmental document and stated the reason that there is no environmental impact would be the same reasons why there will be no environmental impacts.

Commissioner Hauri said that it looks to him that the ALP changes are significant enough that the Commission certainly can consider incorporating them. The County does not have the resources at the moment to do this. We are at the end of doing the plan and moving forward to finish this up and because the ADOs and FAA approvals of the airport lay out plan is around the corner, we should incorporate those changes. Commissioner Hauri asked for input from all the commissioners as to how they want to proceed, especially given that the County has no funding to pay for this. What is the best and fastest way to move forward?

Mr. Bauman said that staff, indicate a process whereby the consultant, who is under contract with the County, could be paid by somebody else for a particular part of the work. Mr. Bauman said that even that process will take a little bit of time, but they can get the consultant to put together a proposal and then they can figure out the amount and how that is going to get handled and he expects that it is not going to be a large amount of money.

Commissioner Pereira said that he has no problem with moving with Oakland and wait for the Hayward plan until this loop is closed with the ALP; however, he thinks that the Commission should not be tied to the Livermore plan because one could keep the other one out balance, they should work on their own separate course.

Commissioner Morris asked Mr. Bauman to be more specific about the time. Mr. Bauman said that it depends on how quickly they can work.

Commissioner Hauri said that the County may have an issue with the content. Staff said that if the Commission chooses to stop the Hayward process so work can be done to incorporate the new ALP, the Commission will have to direct us (County) to direct the consultant to develop a cost estimate. We also need to consider the recirculation of the Initial Study, since we don't know what the findings are yet because with the changes on the runway it will in fact shift the noise contours and it possibly will shift the safety zones. If in fact there are changes that are significant under CEQA then the Initial Study will have to be re-circulated. Technically, a 30 days circulation period is required, but we decided to do a 45 day circulation for all of our Plans and the Initial Studies because it has been an eight-year process

the public hasn't had a chance to dive into these Drafts for a long time. Also, in the interest of transparency she wanted to give people plenty of time to look at and provide comments so we can get it done right. In terms of the timing, she said that she doesn't know if the consultants are prepared to draw a figure and we get under contract. She asked Mr. Wade what type of level of effort and how long it will take in terms of time. Mr. Wade said he thought it would take from one to two months once they received a Notice to Proceed.

Commissioner Hauri asked the commissioners for a motion for authorizing staff to request the consultant to provide a cost figure.

Mr. Wetherill said that he went over this with Commissioner Needle and they both concluded that they were comfortable with the documents. He cautions on going ahead, and asked that if FAA offers this assurance that they will sign it in two weeks why they didn't sign it now? Mr. Bauman said that FAA staff were going to sign it maybe two months ago but because of staffing they could not complete their review. Mr. Bauman said that the FAA has given them (City of Hayward) assurances that by the 28<sup>th</sup> of this month we will have the signed version. As far as the City is concerned it has been final. He said they just got the HWD ALUCP and they were not sure how close we were to this finishing the process but said that the ALP drawings needed to be put in the document. With regard to the environmental Initial Study there is nothing in there that really talks about anything that would change as a result of this change.

Mr. Wetherill said that he is inclined to say that we should take advantage of the fact that eight years of work has reached fruition, approve the HWD ALUCP and let the process take its course. Mr. Bauman said that Hayward would not support that action.

Commissioner Henson made a motion to direct staff to direct consultants to provide a cost estimate.

Commissioner Hauri said that the bombshell was dropped by the City of Hayward and he certainly would appreciate that we get some assurance from the City of Hayward to pay for the cost to incorporate the updated ALP updated based on the changes. He said that the easiest way would be for the City of Hayward to directly contract with ESA. Mr. Bauman and staff addressed contracting issues briefly in response.

Commissioner Hauri said that the motion is to authorize staff to request a cost estimate to incorporate Hayward's ALP changes into the ALUCP with the understanding that the City of Hayward may enter subsequently into contract and pay for the cost. Ms. McKenney seconded the motion. Motion passed 5/1 with Commissioner Henson abstaining.

Staff said that she will proceed with that and that at the next month's meeting she will report on the consultants' cost estimate and negotiations with the City. The next meeting is scheduled for November 17 depending on the status of getting the Livermore Plan out within the next week or two.

Ms. Jeffery from the consultant team said that we will move forward with the Oakland Airport Plan and asked Commissioner Hauri how the Commission wanted to proceed in terms of the discussion and presentation of this plan.

Public testimony was called for the Oakland Airport Plan.

Mr. McCarthy discussed issues related to both OAK and HWD airports regarding runway extensions, air freight impacts, increases in passenger traffic, and the Russell City Energy Center. He stated that whatever happens at HWD (i.e., RCEC) would be a factor in any future runway issues on the west end of OAK property.

Commissioner McKenney said that Oakland has an existing Master Plan adopted in 2005 and that plan states their position quite clearly regarding significant runway capacity expansion. The PORT understands is that in the Bay Area this is such a significant issue as probably any one individual facility or airport can't determine where and how and what form that additional capacity should take. The bottom line is that it must ultimately be a regional decision. Commissioner McKenney stated she sits on the Regional Airport Planning Commission (RAPC) and that organization is in the middle of a regional airport planning study for the entire 9-County Bay Area. The study is conducting an extensive public outreach process. She described some of the scope of the study including future meetings structure, potential air-carrier service at GA airports or other airports, consolidation, and whether or not there should be a new airport.

Mr. McCarthy began a new discussion of the RCEC project in Hayward, and Commissioner Henson told Mr. McCarthy that Russell City has nothing to do with this process and that this is a totally different process.

Commissioner McKenney thanked the Commission as well as the County staff for all the work on this ALUCP Update. Oakland does have some specifics or technical comments on the draft that they will be sending to staff. For example, she noted that this is a real opportunity to evolve and mature the county planning process around airports as well, there is some real strengthening that can be brought to the county activities and the messaging and the direction that the county gives in terms of the

importance of compatibility planning airports to the community. There is no question that today in 2010 even far more so than in 1986 is well understood that our lives and economies do not function without aviation; it is an integral part of our total existence and it is more important than it ever has been to be coordinating and ensuring compatibility of land use of near airports.

Commissioner Hauri said that the Commission is looking forward to the Livermore Plan, and the conclusion of this process and to move forward. He asked staff if she has comments on the Livermore Plan and when it can be circulated. Staff said if it were to be released a week from today, the comment period will end December 13 This will likely take us to the next year probably with the Hayward and Livermore plans. However, if we receive no significant comments that will derail the Oakland plan process she sees no reason why we can't move for approval on that Plan next month. She said that she was a little surprised that she has not gotten any comments from the City of Alameda, the City of Oakland or the City of San Leandro on the Oakland plan. It is very important because those cities do often have issues with development that is proposed around the airport.

Commissioner Henson said that that part of that process of not hearing from Alameda and San Leandro is that the PORT that provides quite a forum for them to participate in (The OAK Airport Noise Forum) and the director (Ale Flint) and past director (Grossman) have worked diligently with them on this.

Ms. McKenney said that they have their airport stake holders committee. She will make sure at their meeting that everybody is fully aware of the availability of this document.

## **5. Adjournment**

Commissioner Hauri made a motion to adjourn the meeting at 8:17 p.m.