

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF AERONAUTICS – M.S.#40

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CHIEF EXECUTIVE OFFICE

2008 JUL 16 P 2:09

July 8, 2008

Mr. Keith Boggs  
Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

Dear Mr. Boggs:

Notice of Preparation of a Draft Environmental Impact Report for the West Park Specific Plan Project; SCH# 2008062066

The California Department of Transportation (Caltrans), 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 proposal would include the following major components: (1) development of an inland port and short-haul rail service to and from the Port of Oakland; (2) development of industrial, business park, and distribution land uses on approximately 4,800 acres, including the former Crow's Landing Air Facility (CLAF); (3) development of a general aviation airport on the former CLAF property, and (4) various infrastructure and public facility improvements to support the project. The Draft Environmental Impact Report (DEIR) will also evaluate the Redevelopment Plan for the CLAF and an Airport Land Use Compatibility Plan Amendment.

Reuse of the former CLAF includes the development of a general aviation facility with one approximately 5,300-foot runway to support Category B-2 aircraft, associated aprons and taxiways, navigational aids, a fixed-base operator, hangars and tie-down positions, and fuel facilities. The general aviation facility would also be available to the National Aeronautics and Space Administration (NASA) as described by the terms of the property conveyance, and to local law enforcement. Development of the project site would have rail access if desired by future tenants; business parks; a workforce training facility; a medical facility; and an associated on-site roadway network and utilities, including storm-water management facilities, a water treatment plant, and a sewage treatment plant.

The Division has been working with Stanislaus County regarding the proposed airport. Since the proposal will require a State airport permit, please contact the Division's Aviation Safety Officer for Stanislaus County, Dan Gargas, at (916) 654-5222 for assistance with the State permit requirements. Information relating to the permit process is also published on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/airportpermit.html>.

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Prior to issuing the State Airport Permit, the Division, as Responsible Agency, must ensure that the proposal is in full compliance with CEQA. The issues of primary concern to us include airport-related noise and safety impacts on the surrounding community. To ensure that the community will not be adversely impacted by aircraft operations, flight paths should avoid noise-sensitive and people intensive uses. Environmental documentation should include diagrams showing the location of proposed runway and the approach/departure flight paths. The diagrams should also depict the proximity of the proposed flight paths to any existing or proposed noise sensitive or people intensive uses. Consideration given to the issue of compatible land uses in the vicinity of the airport should help to relieve future conflicts between the airport and its neighbors.

Before the Division can issue the State airport permit, we also require documentation of action by the Stanislaus County Airport Land Use Commission (ALUC).

In accordance with CEQA, Public Resources Code Section 21096, the Caltrans 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://www.dot.ca.gov/hq/planning/aeronaut/documents/ALUPHComplete-7-02rev.pdf>.

Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. To protect people and property on the ground from the risks of near-airport aircraft accidents, some form of restrictions on land use are essential. The two principal methods for reducing the risk of injury and property damage on the ground are to limit the number of persons in an area and to limit the area covered by occupied structures. The Handbook identifies six airport safety zones based on risk levels. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site. Airport-related noise, safety and land use concerns should be thoroughly addressed in the DEIR.

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

Please note the FAA will also require the filing of a Notice of Landing Area Proposal (Form 7480-1). A copy of the form is available on the FAA website at <http://www.faa.gov/ARP/ane/forms/7480-1.pdf>. The proposal includes storm-water management facilities, a water treatment plant, and a sewage treatment plant. Land use practices that attract or sustain hazardous wildlife populations on or near airports can

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significantly increase the potential for wildlife-aircraft collisions. The Federal Aviation Administration (FAA) recommends that landfills, wastewater treatment facilities, surface mining, wetlands and other uses that have the potential to attract wildlife, be restricted in the vicinity of an airport. FAA Advisory Circular (AC) 150/5200-33B entitled "Hazardous Wildlife Attractants on or Near Airports" addresses these issues and is available at the FAA website <http://wildlife-mitigation.tc.faa.gov/>.

Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

Aviation plays a significant role in California's transportation system. This role includes the movement of people and goods within and beyond our State's network of over 250 airports. Aviation contributes nearly 9 percent of both total State employment (1.7 million jobs) and total State output (\$110.7 billion) annually. These benefits were identified in a study entitled, "Aviation in California: Benefits to Our Economy and Way of Life," and available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/econstudy2003.html>. Aviation improves mobility, generates tax revenue, saves lives through emergency response, medical and fire fighting services, annually transports air cargo valued at over \$170 billion and generates over \$14 billion in tourist dollars, which in turn improves our economy and quality of life.

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our Caltrans District 10 office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-7075.

Sincerely,



RON BOLYARD

Aviation Environmental Planner

c: State Clearinghouse, Crow's Landing Air Facility, Stanislaus County ALUC