

**AIRPORT LAND USE COMMISSION  
MINUTES  
THURSDAY, OCTOBER 2, 2008  
BOARD ROOM**

**CALL TO ORDER**

Chairperson Bersin called the regular meeting of the Airport Land Use Commission to order at 1:35 p.m., Thursday, October 2, 2008, in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 N. Harbor Drive, San Diego, CA 92101.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Board Members: Bersin, Boland, Desmond, Finnila, Miller, O'Connor, (Ex-Officio), Orso-Delgado (Ex-Officio), Panknin, Watkins, Young, Zettel

Absent: Board Members: None

Also Present: Jeffrey Woodson, Vice President, Administration; Breton K. Lobner, General Counsel; Tony Russell, Director, Corporate Services/Authority Clerk; Sara Real, Assistant Authority Clerk I

*Board Member Desmond arrived during the course of the meeting.*

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

Chairperson Bersin requested that Item 3 be removed from the Consent Agenda for discussion.

**ACTION: Moved by Board Member Panknin and seconded by Board Member Finnila to approve the Consent Agenda as amended. Motion carried by the following vote: YES – Bersin, Boland, Finnila, Miller, Panknin, Watkins, Young, Zettel; NO – None; ABSENT – Desmond. (Weighted Vote Points: YES – 88; NO – 0; ABSENT – 12)**

**1. APPROVAL OF MINUTES:**

RECOMMENDATION: Approve the minutes of the September 4, 2008 meeting.

## **CONSISTENCY DETERMINATIONS**

### ***County of San Diego***

**2. CONSISTENCY DETERMINATION – NOISE ORDINANCE, COUNTY OF SAN DIEGO:**

RECOMMENDATION: Adopt Resolution No. 2008-0102 ALUC, making the determination that the project is conditionally consistent with the Airport Land Use Compatibility Plans for Agua Caliente Airport, Borrego Valley Airport, Brown Field, Fallbrook Airpark, Gillespie Field, Jacumba Airport, MCAS Miramar, Ocotillo Airport, MCAS Camp Pendleton, and Ramona Airport.

### ***City of San Diego***

**3. CONSISTENCY DETERMINATION – MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN – EXPANSION OF MUNICIPAL SOLID WASTE DISPOSAL SITE AT SYCAMORE CANYON LANDFILL, CITY OF SAN DIEGO:**

ACTION: This item was removed from the Consent Agenda for discussion.

**4. CONSISTENCY DETERMINATION – MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF RESEARCH AND DEVELOPMENT BUILDING WITH PARKING STRUCTURE AT 6162 NANCY RIDGE DRIVE, CITY OF SAN DIEGO:**

RECOMMENDATION: Adopt Resolution No. 2008-0104 ALUC, making the determination that the project is conditionally consistent with the Marine Corps Air Station Miramar, Airport Land Use Compatibility Plan.

**5. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF A RESIDENTIAL UNIT AT 4654 LOTUS STREET, CITY OF SAN DIEGO:**

RECOMMENDATION: Adopt Resolution No. 2008-0105 ALUC, making the determination that the project is conditionally consistent with the San Diego International Airport, Airport Land Use Compatibility Plan.

### **ITEMS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION:**

**3. CONSISTENCY DETERMINATION – MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN – EXPANSION OF MUNICIPAL SOLID WASTE DISPOSAL SITE AT SYCAMORE CANYON LANDFILL, CITY OF SAN DIEGO:**

Sandi Sawa, Manager, Airport Planning, stated that the recommendation on this item was modified shortly before the Airport Land Use Commission Meeting due to a change under the height restriction. She stated that the Federal Aviation Administration determination regarding certain aspects of the project is under appeal, resulting in a conditionally consistent determination for this project.

KEN LOUNSBERY, SAN DIEGO, spoke in opposition to staff's recommendation.

NEIL MOHR, SANTEE, stated that regarding birds, the landfill has been inspected more than 100 times and has never had an issue with birds.

THOMAS KAMMAN, ESCONDIDO, provided an overview of the appeal filed with the FAA.

DONNA JONES, POWAY, applicant, stated that her firm met with staff at MCAS Miramar in 2005 as part of the proposed ALUCP to talk about bird hazards and there was no issue.

Colonel O'Connor noted that the landfill maintained by the City of San Diego at MCAS Miramar has a very effective bird mitigation program.

*Board Member Desmond arrived at 1:52 p.m.*

In response to Board Member Young regarding if he should recuse himself from this item as it will be heard by the City of San Diego next, Breton Lobner, General Counsel, stated that there is no conflict because the City has certain statutory requirements.

Board Member Young stated that he would recuse himself from voting on this item.

LINDSAY PUCKETT, SANTEE, spoke in opposition to staff's recommendation.

RECOMMENDATION: Adopt Resolution No. 2008-0103 ALUC, making the determination that the project is conditionally consistent with the Marine Corps Air Station Miramar, Airport Land Use Compatibility Plan.

**ACTION: Moved by Board Member Watkins and seconded by Board Member Finnila to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnila, Miller, Panknin, Watkins, Zettel; NO – None; ABSENT – None; ABSTAIN - Young. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 0; ABSTAIN – 13)**

**PUBLIC HEARINGS: None**

**7. CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT WITH STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROPOSED MARINE CORPS AIR STATION (MCAS) MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP), AND ADOPTION OF THE MCAS MIRAMAR ALUCP:**

Sandi Sawa, Manager, Airport Planning, provided a presentation on the Certification of the Environmental Impact Report for Marine Corps Air Station Miramar, which included Statutory Requirements for ALUCP's, Purpose of ALUCP's, ALUCP Layers, ALUCP Factors and Airport Influence Area (AIA), ALUCP Implementation, Timeline, Environmental Impacts Identified by Draft EIR, Maximum Potential Displacement by Use Categories, Cumulative and Growth-Inducing Impacts of ALUCP, Project Alternatives Considered in Draft EIR, and ALUCP Concerns.

ANGELIKA VILLAGRANA, SAN DIEGO, Chamber of Commerce, stated that the Chamber has been working with stakeholders and partner organizations affected by the ALUCP's. She urged the Board to amend the ALUCP to provide opportunities for businesses to grow.

ANDREW POAT, SAN DIEGO, San Diego Regional Economic Development Corporation, spoke in opposition to staff's recommendation.

PATTI KREBS, SAN DIEGO, spoke in support of continued coexistence with the Marine Corps and urged the Commission to support the growth of industrial facilities.

PHIL LISOTTA, SAN DIEGO, spoke in opposition to staff's recommendation.

TERESE GHIO, POWAY, Arena Pharmaceuticals, spoke in opposition to staff's recommendation.

MADELEINE BAUDOIN, SAN DIEGO, Biocom, spoke in opposition to staff's recommendation.

NEIL HYYTINEN, SAN DIEGO, spoke in opposition to staff's recommendation.

JOHN ZIEBARTH, SAN DIEGO, urged the Commission to accept a compromise that measures density.

In response to Board Member Watkins regarding the Navy AICUZ, Board Member O'Connor stated that the Navy conducted an EIR when the Marines moved to Miramar.

In response to Chairperson Bersin regarding if the City of San Diego overrides a decision by this Commission, what would be the outcome, Lori Ballance, Gatzke, Dillon, and Ballance, stated that the statute states that it would be a liability shift from the airport proprietor.

In response to Board Member Zettel regarding a more creative solution to maintain the intent of the AICUZ while reducing the carbon imprint, Board Member O'Connor stated that Accident Potential Zones (APZ) were developed for safety, and the density in those zones is predicated by the number of fatalities that would occur in the event of an aircraft disaster. He stated that the safety of the civilians is the first priority and the numbers in the APZ's were developed with that sole purpose in mind.

Board Member Boland expressed concern regarding the continued encroachment on Miramar with incompatible land uses, and he spoke regarding the importance of preserving the area around Miramar Airport. He stated that the unintended consequences of the encroachment will affect the future greatly.

**RECOMMENDATION:**

Adopt Resolution No. 2008-0091 ALUC, certifying the final Environmental Impact Report, with a Statement of Overriding Considerations for the Marine Corps Air Station Miramar Airport Land Use Compatibility Plan; and

Adopt Resolution No. 2008-0101 ALUC, adopting the ALUCP for MCAS Miramar.

**ACTION: Moved by Board Member Desmond and seconded by Board Member Finnila to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnila, Miller, Panknin, Young; NO – Zettel; ABSENT – None; ABSTAIN - Watkins. (Weighted Vote Points: YES – 84; NO – 8; ABSENT – 0; ABSTAIN - 8)**

*Board Member O'Connor left the dais at 2:52 p.m.*

**10. DISCUSSION REGARDING THE AUTHORITY'S INVOLVEMENT WITH THE POTENTIAL LEGISLATION TO REMOVE THE REQUIREMENT TO BE CONSISTENT WITH THE AICUZ IN PREPARING AIRPORT LAND USE COMPATIBILITY PLANS:**

Michael Kulis, Director, Inter-Governmental Relations, provided an overview of the potential legislation to remove the requirement to be consistent with the AICUZ in preparing the Airport Land Use Compatibility Plans.

BARRY BARDACK, EL CAJON, stated that it is inappropriate for the Airport Land Use Commission to look at legislation.

JOHN ZIEBARTH, SAN DIEGO, stated that the Commission must be able to consider economic impacts in their role to remain consistent with the Caltrans handbook.

DEANNA SPEHN, SACRAMENTO, Policy Director for State Senator Christine Kehoe, stated that the Senator does not want to increase encroachment, but there are problems with State law. She stated that the legislative intent was not to have the AICUZ determine land use at the local level. She stated that the Senator is looking for clarification, and will work with the Commission and staff on this issue.

TERESE GHIO, POWAY, Arena Pharmaceuticals, expressed her support for review of State legislation.

RECOMMENDATION: Receive the report and provide direction to staff.

**ACTION: No action taken.**

**OLD BUSINESS:**

**6. STATUS UPDATE ON THE PREPARATION OF AIRPORT LAND USE COMPATIBILITY PLANS FOR BROWN FIELD, GILLESPIE FIELD, MCCLELLAN-PALOMAR AIRPORT, MONTGOMERY FIELD, OCEANSIDE MUNICIPAL AIRPORT, THREE MILITARY AIRPORTS, AND SAN DIEGO INTERNATIONAL AIRPORT:**

Sandi Sawa, Manager, Airport Planning, provided a presentation on the Status Report on the Airport Land Use Compatibility Plan Process for September 2008, which included ATAG Subcommittees and ALUCP Status, and Estimated ALUCP Adoption Timeline.

BARRY BARDACK, EL CAJON, expressed opposition of the proposed adoption date for urban airports. He urged the Board to adopt the ALUCP as quickly as possible.

CLIFFORD LEARY, LAKESIDE, expressed concern regarding the prolonged adoption of the ALUCP for urban airports.

RECOMMENDATION: Receive the report.

**ACTION: No action taken.**

*The Commission recessed at 3:15 p.m. and reconvened at 3:26 p.m.*

8. **POLICY DIRECTION TO AIRPORT LAND USE COMMISSION STAFF ON URBAN AIRPORTS PROPOSED AIRPORT LAND USE COMPATIBILITY PLAN SAFETY POLICY - INFILL POLICIES:**

Sandi Sawa, Manager, Airport Planning, and Lori Ballance, Gatzke, Dillon, and Ballance, provided a presentation on Policy Direction on Urban Airports ALUCP Safety Policies, which included Remaining Urban Issues, Legal Guidance, and Infill Policies.

*Board Member Zettel left the dais at 3:26 p.m.*

JOHN ZIEBARTH, SAN DIEGO, provided a presentation on an Infill Higher Range Proposal.

BARRY BARDACK, EL CAJON, stated that local jurisdictions need adequate guidance. He urged the Commission to not condone development that allows a compatibility plan that exceeds the intent of the Caltrans handbook.

SCOTT MALOY, SAN DIEGO, Building Industry Association, spoke in opposition to staff's recommendation.

Board Member Watkins suggested providing mitigation opportunities for residential.

**RECOMMENDATION:** Receive the report and direct staff to prepare an Airport Land Use Compatibility Plan (ALUCP) and necessary environmental documentation for each of the five "urban" airports (Brown Field, Gillespie Field, McClellan-Palomar Airport, Montgomery Field, and Oceanside Municipal Airport) consistent with Airport Land Use Commission (ALUC) policy direction on urban airport infill policies. Staff recommends that the infill development be allowed up to the average intensity/density of the surrounding existing development. If there is no comparable existing use in the surrounding area, then the land use would be appropriate up to one hundred and ten percent (110%) of the intensity and one hundred percent (100%) of the density provided in the safety matrix for the specified land use.

**ACTION:** Moved by Board Member Finnila and seconded by Board Member Watkins to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnila, Miller, Panknin, Watkins; NO – None; ABSENT – Young, Zettel. (Weighted Vote Points: YES – 79; NO – 0; ABSENT – 21)

**9. POLICY DIRECTION TO AIRPORT LAND USE COMMISSION STAFF ON URBAN AIRPORTS PROPOSED AIRPORT LAND USE COMPATIBILITY PLAN SAFETY POLICY - GILLESPIE FIELD:**

Sandi Sawa, Manager, Airport Planning, provided a presentation on Policy Direction on Urban Airports ALUCP Safety Policies, which included Gillespie Field, Caltrans Generic Safety Zones, and Next Steps.

GARY HALPERT, CITY OF SANTEE, provided a presentation on the Gillespie Field ALUCP, which included the Impact of the Proposed ALUCP, Runway 17/35 North/South, "Sub" Subcommittee Meeting, Safety Zones, Impacted Property and Land Uses, SANDAG Smart Growth Concept Map, and Safety Zones.

In response to Board Member Finnila regarding an area of smart growth, Mr. Halpert stated that there are 105 acres in that parcel and all of them are developable.

ERIC NELSON, COUNTY OF SAN DIEGO, provided a presentation on the ALUC Decision to Limit Safety Zones for Gillespie Field, which included the Purpose of an ALUCP, Gillespie Field in 1944 versus 2008, Airport Reference Codes, Approach Categories, Approach Category Affects, Runway 17-35 Safety Areas, Instrument Approach, Existing GPS on RWY 17, Instrument "Departure" Procedures for RWY 17-35, Highway 52 Extension, and the FAA's Position.

In response to Board Member Watkins regarding working with County Planning on preparing the recommendations by ATAG, Ms. Sawa stated that County Planning staff has a seat on the ATAG Committee and have been given a fair chance to weigh in on these issues. She further stated that she has had discussions with County Counsel on the plans and the different proposed expansions.

Board Member Panknin offered a compromise recommendation to direct staff to reconfigure the safety zones for runway 17/35 at Gillespie Field in such a way that:

- It is in compliance with all federal requirements of a category II B runway,
- Ensures Part 77 triggers for all projects in the airport influence area to protect the GPS approach, and
- Follows the Caltrans Handbook guidance consistent with the most restrictive of low activity general runway, short general runway and heliport operations particular to each runway end.



In response to Board Member Desmond regarding safety zones, Board Member Panknin stated that the recommended safety zones will stay in place, but he also wanted to protect the BII RPZ and other protections that are required.

In response to Chairperson Bersin regarding Board Member Panknin's proposal, Angela Shafer-Payne, Vice President, Planning and Operations, stated that staff needs time to review the proposal and prepare a response.

**RECOMMENDATION:** Receive the report and direct staff to prepare an Airport Land Use Compatibility Plan (ALUCP) and necessary environmental documentation for Gillespie Field consistent with Airport Land Use Commission (ALUC) policy direction on the Airport's safety zones and related urban airport safety policies. Staff recommends that the Gillespie Field safety zones remain as proposed.

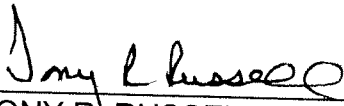
**ACTION:** Moved by Board Member Boland and seconded by Board Member Desmond to table this item to the November Airport Land Use Commission meeting to allow staff time to research Board Member Panknin's compromise recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Panknin, Watkins; NO – Finnilla, Miller; ABSENT – Young, Zettel. (Weighted Vote Points: YES – 55; NO – 24; ABSENT – 21)

**COMMISSION COMMENT:**

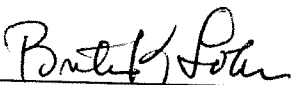
**ADJOURNMENT**

The meeting adjourned at 4:55 p.m. The next meeting will be held on November 13, 2008, at 9:00 a.m. in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 N. Harbor Drive, San Diego, CA 92101.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS 13<sup>th</sup> DAY OF NOVEMBER, 2008.

  
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TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

  
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BRETON K. LOBNER  
GENERAL COUNSEL