

Amador County Airport

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February 7, 2023

Mr. Chuck Beatty
Amador County Planning Department
810 Court Street
Jackson, CA 95642

Dear Mr. Beatty:

Subject: Draft Environmental Impact Report (DEIR) for the Wicklow Way Specific Plan

I have reviewed the Notice of Preparation dated January 25, 2023 for the Wicklow Way Specific Plan. Below you will find my comments.

This project is under the Instrument approach and standard traffic pattern for the runways at the Amador County Airport also known as Westover Field. Aircraft on the instrument approach will over fly this project at 2080 ft. mean sea level. It is likely that aircraft taking off and landing at Westover Field/Amador County Airport will be over flying the project at elevations ranging from 500 ft. to 1000 ft. above ground level (a.g.l.). In the event of an aircraft emergency the low elevations listed above could have an impact on the safety of residents, tenants, and customers that will use this property as well as the pilots and their passengers that operate from Westover Field/Amador County Airport.

It is important to note that Amador County has entered into agreements with the Federal Aviation Administration (FAA) for Federal funding to improve Amador County Airport. A portion of these agreements require Amador County to comply with grant assurances. If the FAA finds that Amador County has not complied with these Grant Assurances then future Federal funding could be jeopardized. Two assurances identified in these FAA grant agreements that should be reviewed closely for this project are Grant Assurances No. 20 and No. 21. The following are the grant assurances (No. 20 and No. 21) taken from FAA grant agreement 3-06-0111-27 accepted by the Amador County Board of Supervisors on August 13, 2022.

20. Hazard Removal and Mitigation.

It (Amador County) will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It (Amador County) will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

The following is a list of concerns for the mitigation measures and impacts listed in the RDEIR:

Mitigation Measure #3.1-3a.

Any references to “Dark Sky” approved light fixtures for street and security lighting causes concern for the Airport because it could be confused for airport lighting. Airport staff is aware that this mitigation measure may not be sufficient based on recent development near the Airport that involved “Dark Sky” approved lighting. Specifically, a developer installed “Dark Sky” approved lighting and, after my review of the lighting, it was found that the lighting could be mistaken for airport lighting.

Since a large portion of this development lies directly under the approach path for the runway the use of Dark Sky approved lighting may confuse pilots approaching the runway as they may not be able to distinguish the development lighting from airport lighting. Therefore, in an effort to minimize any potential safety hazards, it is requested that lighting requirements meet the guidelines as recommended by CALTRANS Division of Aeronautics in the California Airport Land Use Planning Handbook dated January 2002.

Below is a portion of the 2002 California Airport Land Use Planning Handbook specific to lighting, glare, smoke, birds and height restrictions. This may provide the developer a better understanding of concerns regarding safety for aircraft and the public near an airport.

Additional Guidelines regarding protection of airport airspace are set forth on other FAA documents. In general, the criteria specify that no use of land or water anywhere within the boundaries encompassed by FAR Part 77 should be allowed if it could endanger or interfere with the landing, takeoff, or maneuvering of an aircraft at an airport (FAA-1987). Specific characteristics to be avoided include:

- * Creation of electrical interference with navigational signals or radio communication between the airport and aircraft;*
- * Lighting which is difficult to distinguish from airport lighting;*
- * Glare in the eyes of pilots using the airport;*

- * *Smoke or other impairments to visibility in the airport vicinity; and*
- * *Uses which attract birds and create bird strike hazards.*

FAA Part 77 criteria; the height limits are defined in terms of imaginary surfaces in the airspace extending about two to three miles around the airport runway and ... (page 9-5)

Mitigation #3.1-3b

This section references mitigating glare from commercial development only. Although I understand that commercial development may produce significant glare, residential development can cause glare too.

Examples of glare from residential development include, but are not limited to, the following: metal siding or roofing, solar panels, windows, and swimming pools. A possible solution to minimize potential glare from becoming a safety hazard could be to place a requirement to limit glare from both commercial and residential development as recommended in FAA Part 77 guidelines that specifies a characteristic to avoid as “*Glare in the eyes of pilots using the airport.*”

Impact #3.8-2 Mitigation Measure

This impact specifies “*A noise easement shall be attached to the title of all property sold in the affected by aircraft noise.*” In the May 2007 letter I requested “notification and an air navigation easement for all property within this project.” While a noise easement would be beneficial it still does not cover all concerns that an air navigation easement would provide to protect residents of this development and protect pilots and their passengers using Amador County Airport.

The following information provides the specific protections that would be included in an air navigation easement and was taken directly from the 2002 California Airport Land Use Planning Handbook. (p 3-23)

This Easement to include:

- *A right-of-way for free and unobstructed passage over the property at any altitude above an imaginary surface specified in the easement (usually set in accordance with FAR Part 77 criteria).*
- *A right to subject the property to noise, vibration, fumes, dust and fuel particle emissions associated with normal airport activity.*
- *A right to prohibit the erection or growth of any structure, tree, or other object that would enter the acquired airspace.*
- *A right-of entry onto the property, with appropriate notice, for the purpose of removing, marking of lighting any structure or other object that enters the acquired airspace.*

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- *A right to prohibit electrical interference, glare, misleading lights, visual impairments, and other hazards to aircraft flight from being created on the property.*

An additional item to consider is the construction of buildings to comply with the interior noise requirements. This development is under the primary departure for runway 19 at the Airport and there is a noise study that shows the noise contours from arriving and departing aircraft to the Airport.

Lastly, the proposed new elementary school site may have to be submitted to the State Office of Education for determination by Caltrans Division of Aeronautics for compatibility.

It is my hope that the concerns and recommendations outlined above will be considered and included in the development of the Wicklow Way Specific Plan. The notification procedure and air navigation easements (including restrictions on lighting and glare) will assist the County in protecting the safety of residents, tenants, and customers who will be living and working in this development, as well as the pilots and their passengers that will be flying over this development. Please feel free to contact me if you have any questions.

Sincerely,



David Sheppard
Airport Manager

Cc: Jon Hopkins, Director of GSA
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