

**AIRPORT LAND USE COMMISSION HEARING  
REPORT OF ACTIONS  
AUGUST 13, 2009**

9-1-09

COMMISSIONERS PRESENT: Simon Housman, Rod Ballance, Arthur Butler, Robin Lowe, James Downes (alternate for Melanie Fesmire), John Lyon and Glen Holmes

COMMISSIONERS ABSENT: Melanie Fesmire

**2.0 PUBLIC HEARING: NEW BUSINESS**

- 2.1 Staff report recommended: **CONDITIONALLY CONSISTENT**
- Staff recommended at hearing: **CONDITIONALLY CONSISTENT**
- ALUC Commission Action: **CONDITIONALLY CONSISTENT (Vote 7-0)**
- ZAP1047RI09 – City of Riverside – Airport Master Plan for Riverside Airport.** The Airport Land Use Commission will review the Airport Master Plan document to determine consistency with the Riverside Municipal Airport Land Use Compatibility Plan, as adopted in 2005. The Master Plan includes a Capital Improvement Program and recommends 40 actions over the next 20 years to improve the airport. The airport would continue to be a general aviation airport. Activity forecasts would not exceed those projected in the adopted Compatibility Plan. The Master Plan includes provision for future 1,000-foot easterly extension of the primary runway (Runway 9-27) and property acquisition, to the extent necessary to meet Federal Aviation Administration Runway Protection Zone requirements. Such extension would only occur in the event of increased activity by large business jets. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).
- 2.2 Staff report recommended: **CONTINUE TO 9-10-09**
- Staff recommended at hearing: **CONSISTENT**
- ALUC Commission Action: **CONSISTENT AS AMENDED (Vote 7-0)**
- Adding Condition #7 to read:**  
The Riverside Airport Land Use Commission (ALUC) request that the Riverside County Sheriff Department consider returning to ALUC to seek advisory comments regarding mitigation of noise impacts on surrounding properties in the event that the average number of daily operations exceed four (4) within a month.
- ZAP1036BD09 – Riverside County Sheriff Department (Representative: Lieutenant Dan Ybarra) – City Case No. CUP 08-10 (Conditional Use Permit).** A proposal for the construction and operation of a new Sheriff station with helicopter takeoff and landing facility (helipad) within the City of Palm Desert, located southerly of Gerald Ford Drive, northerly of Frank Sinatra Drive, easterly of Shadow Ridge Road, and westerly of Portola Avenue, approximately 6 miles northwesterly of the northwesterly end of Runway 10-28 at Bermuda Dunes Airport. The proposed station will have approximately 85,496 square feet with a 20 foot rooftop helipad, parking for 470 vehicles, a fleet fueling station, wash bay for oversized vehicles and bioswales for pollution management. The helipad would be used intermittently for emergency purposes. The property is not located within an Airport Influence Area. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at [brramire@rctlma.org](mailto:brramire@rctlma.org).

**CDS:**

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**3.0 PRESENTATION**

**3.1 Presentation by the City of Perris regarding the proposed Perris Valley Airport Land Use Compatibility Plan as it relates to the City's proposed Downtown Specific Plan and adopted Green Valley Specific Plan**

As a preliminary to the City of Perris presentation, ALUC staff gave the Commission a refresher introduction to the Draft Perris Valley Airport Land Use Compatibility Plan (PVALUCP). Nick Johnson, consultant to the City of Perris on airport-related matters including the PVALUCP, came forward with a brief presentation. He advised that they are at the beginning of the process and have met with ALUC staff, providing them with a letter identifying issues that need to be addressed and updating ALUC staff on the planning that has been done by the City of Perris. The City has been working to update its Housing Element and to adopt its proposed Downtown Specific Plan, which envisions affordable housing located in the vicinity of a future Metrolink station. The proposed Compatibility Zones, as designed, could affect the City's ability to achieve its land use, housing, and transportation objectives. He indicated that additional time is needed to work with ALUC staff and to review airport layout and operations assumptions that were utilized in Plan preparation. The extent of the use of the DC-9 and the northerly portion of the runway are factors to be considered in determining the Compatibility Zone boundaries. Commissioners Robin Lowe and Glen Holmes and Vice Chairman Rod Ballance questioned Mr. Johnson and City Planning Director Brad Eckhardt regarding the future use of Ethanac Road, frequency of the City's use of overrules, and the City's role in provision of low-income housing. **Chairman Housman** commented that this would be a good opportunity for the Commissioners to build a better working relationship with the City of Perris and **proposed creation of a subcommittee comprised of Vice Chairman Ballance, Commissioner Arthur Butler, and himself.** **The motion was approved by a 6-0 vote, with Commissioner Lowe abstaining.**

**4.0 ADMINISTRATIVE ITEMS**

**4.1 Director's Approval – Information Only**

**4.2 Report back from staff regarding the French Valley Energy Plant ZAP1027FV08**

ALUC staff, John Guerin presented a brief Administrative Items report to the Commission. Commissioner John Lyon requested clarification. Three residents of French Valley requested at the June 2009 hearing that the Commission's determination on its Case No. ZAP1027FV08 from July 2008 be reconsidered. That item related to a proposed 360 MW thermal peaking power generation project, which would be within the jurisdiction of the California Energy Commission. Commissioner Lyon commented that he has searched the online files of the California Energy Commission and found that no application was ever made for such a project. It turns out that the Commission had reviewed the preliminary stage in a proposed project that never actually became an application. Now, an application is before the County for a 45 MW peaking power plant. He asked whether the County would bring this matter forward as a "major land use action."

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Mr. Guerin noted that the review in 2008 was based on a conceptual eight-turbine power plant, and that it was staff's understanding that the applicant was planning to proceed with an EIR through the California Energy Commission (CEC). It would be within the jurisdiction of the Airport Land Use Commission to provide a letter to the Planning Department indicating that a new review is appropriate at this time, because the project has changed.

Commissioner Lyon indicated that the project that was reviewed last year did not move forward; therefore, there is nothing to reconsider. There is a new proposal to construct a smaller gas-fired peaking plant at that location. That project should be referred to the Commission. He felt that it was premature to do more speculation until the matter comes before the Commission. Commissioner Glen Holmes agreed that it was premature to take any action.

Chairman Housman noted that a County Planning Department representative had submitted a speaker slip and asked him to advise the Commission of the status of the project. Adam Rush, Principal Planner with the Riverside County Planning Department, came forward to answer any questions. He stated that, at the recommendation of County Counsel Katherine Lind, the project number is being converted from PUP904 (Public Use Permit) to Conditional Use Permit No. 3626, based upon where the project falls within County Ordinance vs. State Regulations. From a procedural perspective, the project is within a Notice of Preparation (NOP) comment period. The Planning Department issued the NOP (Notice of Preparation of a Draft Environmental Impact Report) to all trustees and interested agencies on July 20, 2009. Each entity has 30 days from the date of receipt of the NOP to provide comments to the Planning Department. The Notice of Preparation comment period will end on or around August 25<sup>th</sup>. Commissioner Lyon asked whether the Planning Department would refer the Conditional Use Permit to ALUC for a consistency determination as a major land use action. Mr. Rush advised that the question was being studied by Planning and County Counsel. It was not clear whether the current proposal would be submitted for ALUC review. Ed Cooper, ALUC Director, commented that, in response to the NOP, ALUC could request that the current project be returned to us upon completion of the Draft EIR to enable ALUC to exercise its jurisdiction in light of the comments of the State Division of Aeronautics. Staff would keep an open mind and consider the full impact of the new project, as evaluated in the EIR. Commissioner Lowe asked whether the Commissioners should refrain from commenting on the project at this time. Chairman Housman proposed that the Commission direct staff to send out a letter to the Planning Department during the NOP period stating that the proposed project should be submitted to ALUC for review once the EIR has been completed. In addition, Chairman Housman indicated that he would allow the public to speak or comment on the project and directed staff to send a copy of the CD recording of the ALUC hearing to the Planning Department as part of our comments on the NOP. Commissioner Robin Lowe commented that, without a project before the Commission, she could not make a determination and abstained from commenting. Commissioner Glen Holmes agreed with Commissioner Lowe. **Commissioner Lyon motioned that staff send a letter to the Planning Department requesting that the project be referred to the Airport Land Use Commission for a determination as to consistency once the Environmental Impact Report has been completed. The letter would include the CD recording of public**

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**comments, which would be provided without prejudice as an attachment. Vice Chairman Ballance seconded the motion, which was approved by a unanimous 7-0 vote.**

**5.0 APPROVAL OF MINUTES**

The June 11, 2009 minutes were approved by a vote of 4-0. Abstained: Commissioner John Lyon. Not Present: Commissioner Glen Holmes, Commissioner James Downes (alternate).

**6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

Ed Cooper, ALUC Director, updated the Commission. Staff prepared the letter that the Commission had requested in support of the March Joint Powers Authority proposal for expansion of the Foreign Trade Zone around March Air Reserve Base and requested that both the Chair and Vice Chair sign the letter. Mr. Cooper also announced that the ballots of airport managers have been compiled, and he congratulated Chairman Housman and Vice Chairman Rod Ballance on their re-election to the Commission. The oath of office will be administered by the Clerk of the Board at the September meeting. Timing for election of officers will also be discussed at the next meeting. Finally, Mr. Cooper advised that he and John Guerin will be traveling to Sacramento on Tuesday, August 18 to participate (as part of the Technical Advisory Committee) in the State of California Airport Land Use Planning Handbook update. Commissioner John Lyon asked about scheduling of any public workshops.

Chairman Housman allowed the public to speak/comment on Item 4.2 the French Valley Energy Plant ZAP1027FV08. There were 50 speaker slips on this project. Many of the persons who signed up to speak waived their right to comment at this time or yielded their time to others. The following 21 persons spoke on the matter:

Troy Childs; Robert Eppers; Steven Schweizer; Ernie Flores; William Thompson; Corinne Massiah; Halle Massiah; Lionel Hines; Carl McKeever; Myra Ferrante; Ryan Westling; Christopher Webb; Maryla Webb; Robert DeCesaris; Tom McClung; P.T. Rothschild; Michele Hines; Joseph Martin; Clinton Faltermayer; Ronald Cozad; and Andy Wilson.

**7.0 COMMISSIONER'S COMMENTS**

None

Chairman Housman adjourned the meeting at 11:55 a.m.

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