

California Department of Transportation

AERONAUTICS PROGRAM
DIVISION OF TRANSPORTATION PLANNING
P.O. BOX 942873, MS-40 | SACRAMENTO, CA 94273-0001
(916) 654-4959
www.dot.ca.gov



June 3, 2024

Ms. Jocelyn Swain

Electronically Sent: jswain@cityoflancaster.org

Senior Planner
City of Lancaster
44933 Fern Ave.
Lancaster, CA 93534

Re: SCH #2024050082 – Site Plan Review No. 23-002

Dear Ms. Swain,

The California Department of Transportation, Caltrans Aeronautics has reviewed the Mitigated Negative Declaration (MND) for the Site Plan Review No. 23-002. One of the goals of the California Department of Transportation, Aeronautics Program, is to assist cities, counties, and Airport Land Use Commissions (ALUC) or their equivalent, to understand and comply with the State Aeronautics Act pursuant to the California Public Utilities Code (PUC), Section 21001 et seq. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Aeronautics Program in the review of the MND.

The proposal is for construction of an industrial warehouse building and associated improvements on 20.15 acres of vacant land within the existing Fox Field Industrial Corridor Specific Plan. **The project site is located approximately 1.75 miles of the General William J. Fox Airfield.**

In accordance with CEQA, Public Resources Code Section 21096, the California 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 for all public use airports and is available online at: <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-ally.pdf>

Safety Compatibility Policies

The proposed Project site is in Compatibility Zone E (Other Airport Environs), of the General William J. Fox Airfield and therefore must adhere to the safety criteria and restrictions defined in the Airport Land Use Compatibility Plan (ALUCP) adopted by the ALUC pursuant to the PUC, Section 21674. The City of Lancaster should consider Compatibility Zone E Compatibility policies stipulated in the ALUCP or Handbook.

Noise Compatibility Policies

The project site is located within the 65 decibel (dB) Community Noise Equivalent Level (CNEL) contour for the General William J. Fox Airfield as shown in the Los Angeles County Airport Land Use Compatibility Plan (ALUCP). The proposal appears to be consistent with compatibility criteria in the ALUCP.

Due to its proximity to the airport, the project site may be subject to aircraft overflights and subsequent aircraft-related noise impacts. Since communities vary greatly in size and character from urban to rural, the level of noise deemed acceptable in one community is not necessarily the same for another community.

Federal and State regulations regarding aircraft noise do not establish mandatory criteria for evaluating the compatibility of proposed land use development around airports (with the exception of the 65 dB CNEL "worst case" threshold established in the California Code of Regulations (CCR: Title 21 CCR, §5006, §5012) for the designated "noise problem" airports). For most airports in California, 65 dB CNEL is considered too high a noise level to be appropriate as a standard for land use compatibility planning. This is particularly the case for evaluating new development in the vicinity of the airport. The 60 dB CNEL, or even 55 dB CNEL, may be more suitable for new development around most airports.

While airports do not have mitigation requirements for single event noise occurrences under FAA regulations, aircraft operations may cause noticeable noise annoyance from single events that result in impacts such as sleep disturbance. Consideration should also be given to cumulative noise impacts associated with the project site's proximity to roadways and railway lines.

Sound insulation, buyer notification and avigation easements are possible noise mitigation measures. These measures, however, do not change exterior aircraft noise levels. It is likely that some future homeowners and tenants will be annoyed by aircraft noise in this area. Noise mitigation measures are not a substitute for land use compatibility planning for new development.

Airspace Protection Policies

The proposed Project must also address requirements from the Federal Aviation Administration (FAA), specified in Title 14 of the Code of Federal Regulations, Part 77. (14 CFR Part 77). Title 14 CFR Part 77.9 provides vertical and horizontal criteria for construction near an airport. The California Public Utilities Code Section 21659 prohibits structural hazards near airports. Should any of the proposed structures exceed 200 feet AGL (above ground level) in height, a Notice of Proposed Construction or Alteration (Form 7460-1) will be required by the Federal Aviation Administration (FAA) in accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace." To ensure compliance notices should be submitted to the FAA's Obstacle Evaluation Group (OEG) online at the following site: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. OEG Determinations are not building permits, but the Determinations may specify obstruction mitigation.

Wildlife Attractants & Hazards

Land use practices that attract or sustain hazardous wildlife populations on or near airports can 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" and AC 150/5200-34 entitled "Construction or Establishment of Landfills Near Public Airports" address these issues. For further information, please refer to the FAA website [Wildlife Hazard Mitigation | Federal Aviation Administration \(faa.gov\)](#). For additional information concerning wildlife damage management, you may wish to contact the United States Department of Agriculture, Wildlife Services, at (916) 979-2675.

Basic Statement of Compatibility Concerns (Hazards to Flight)

Compatibility concerns regarding airport obstructions and hazards to flight (such as wildlife attractants, lighting, or glare i.e., solar, etc.) should also be considered for further review upon site specific updates or projects. Proposed structures that exceed FAA Regulations Part 77 height criteria are subject to an Obstruction Evaluation/Airspace Analysis for determination.

Closing Statements

An ALUCP is crucial in minimizing noise nuisance and safety hazards around airports while promoting the orderly development in the vicinity of airports, as declared by the

Ms. Swain, Senior Planner
June 3, 2024
Page 4

California Legislature. A responsibility of the ALUC is to assess potential risk to aircraft and persons in airspace and people occupying areas within the vicinity of the airport.

These comments reflect the areas of review by Caltrans Aeronautics with respect to airport-related noise, safety, and land use planning issues. Thank you for the opportunity to review and comment on this proposal. If you have any questions, please contact Ingrid Mcroberts at (805) 835-6555, or by email at ingrid.mcroberts@dot.ca.gov.

Sincerely,

Vincent Ray

Vincent Ray
Aviation Planner

c: California State Clearinghouse; state.clearinghouse@opr.ca.gov
Matthew Friedman; matthew.friedman@dot.ca.gov