

Appendix K

Airport Land Use Commission Development Review



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



CHAIR October 29, 2012

Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

John Lyon
Riverside

Glen Holmes
Hemet

Greg Pettis
Cathedral City

Richard Stewart
Moreno Valley

STAFF

Director
Ed Cooper

Russell Brady
John Guerin
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Mr. Jay Olivas, Planner IV
County of Riverside Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92522
VIA HAND DELIVERY

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW
File No.: ZAP1008BL11
Related File No.: County Case No. CUP03684 (Conditional Use Permit)
APN: See Attachment.

Dear Mr. Olivas:

On October 11, 2012, the Riverside County Airport Land Use Commission (ALUC) found the above-referenced conditional use permit proposing to construct a 486 megawatt solar photovoltaic electric generating facility and associated facilities on 3,250 acres, including two electrical substations, one operation and maintenance building, inverters, transformers, underground 34.5 kV distribution lines, overhead 230 kV transmission lines, and associated switchgear **CONSISTENT** with the 2004 Blythe Airport Land Use Compatibility Plan, subject to the following conditions:

Conditions:

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.

Airport Land Use Commission

Page 2

3. If the panels are mounted on a framework, said framework shall have a flat or matte finish so as to minimize reflection of sunlight.
4. Prior to issuance of building permits for any structures or panels on those parcels located wholly or partially within Airport Compatibility Zone B1, the landowner shall convey an avigation easement to the County of Riverside as owner of Blythe Airport.
5. The attached notice shall be provided to all potential purchasers, and shall be recorded as a deed notice for those parcels within the project located wholly or partially within Airport Compatibility Zones C and D.
6. All photovoltaic panels installed on the project shall have received an anti-reflective coating to minimize the potential for hazardous glare to occur to aircraft.
7. In the event that any incidence of glint, glare, or flash affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such glint, glare, or flash. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. Suggested measures may include, but are not limited to, reprogramming the alignment of the panels or covering them at the time of day when incidences of glare occur to diminish or eliminate the source of the glint, glare, or flash. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
8. In the event that any incidence of electrical interference affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such interference. An "incidence" includes any situation that results in an accident, incident, "near-miss," report by airport personnel, or specific safety complaint to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
9. The Federal Aviation Administration (FAA) has conducted aeronautical studies (Aeronautical Study Nos. 2012-AWP-5708-OE through 2012-AWP-5728-OE) and has determined that neither marking nor lighting of the proposed structures are necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, any such lighting shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2. Such lighting shall be maintained in accordance therewith for the life of the project.
10. The maximum height of the proposed structure, including all mounted appurtenances and aviation safety lighting (if any), shall not exceed the heights as noted in each

Airport Land Use Commission

Page 3

- Determination of No Hazard to Air Navigation for each respective structure.
11. In accordance with the Determinations of No Hazard to Air Navigation issued for the subject structures, the determinations do include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated in each respective determination. Equipment which has a height greater than the studied structure requires separate notice to the FAA.
 12. The specific coordinates, height, top point elevation, power, and frequencies of the proposed facility shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
 13. Within five (5) days after construction reaches its greatest height, the permittee shall complete Form 7460-2, Notice of Actual Construction or Alteration, and submit said form to the Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Service at 2601 Meacham Boulevard, Fort Worth, TX 76137 or online at www.oaaaa.faa.gov. This requirement is also applicable in the event the project is abandoned.

If you have any questions, please contact Russell Brady, Airport Land Use Commission Contract Planner, at (951) 955-0549, or John Guerin, Airport Land Use Commission Principal Planner, at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

RB:bks

Attachments: Notice of Airport in Vicinity

NOTE: Copies of FAA Determinations of No Hazard to Air Navigation for Aeronautical Study Nos. 2012-AWP-5708-OE through 2012-AWP-5728-OE referenced in these conditions are being provided only to the primary addressee of this letter, Mr. Olivas of the Riverside County Planning Department. Additional copies are available from this office on request or may be viewed online at www.oaaaa.faa.gov

cc: Rupal Patel or Tom Eisenauer, Renewable Resources Group
Thom Ryan, Power Engineers
Jason Pfaff, Power Engineers
Robert Eppers, California Pilots Association
Colby Cataldi, Riverside County Economic Development Agency
Daryl Shippy, Riverside County Economic Development Agency
Chad Wilshire, Riverside County Economic Development Agency – Aviation Division
Blythe Airport
Ray and Sharon Howard
Sally Peterson
Allan D. Bickford

Airport Land Use Commission
Page 4

Y:\AIRPORT CASE FILES\Blythe\ZAP1008BL11\ZAP1008BL11.LTR.doc