



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
Airport Land Use Commission
STAFF REPORT

Item No.
5

Meeting Date: **MAY 5, 2011**

Subject:

Presentation and Policy Direction on Overflight Factor – San Diego International Airport - Airport Land Use Compatibility Plan

Recommendation:

Receive the report and provide policy guidance on the overflight compatibility factor.

Background/Justification:

The ALUC is requested to provide policy direction regarding the overflight compatibility factor. Specifically, staff is requesting policy direction on two issues:

1. What should be the adopted boundaries of the overflight compatibility layer?
2. What policy(ies) should be included in the SDIA ALUCP to encourage enforcement of the overflight requirements?

Staff presented this issue at the April 7 ALUC meeting. A staff report was also prepared for that meeting which fully explained this issue. For reference, that staff report is provided below. The staff report included below is identical to the April 7 staff report with two minor exceptions. At the City's request, a slight revision was made to the staff-recommended overflight boundaries, along the 310 degree departure corridor. City staff requested that the boundaries conform to flight tracks rather than to streets, which was reflected in the previous staff report. In addition, a meeting with the City of San Diego was scheduled for April 25, 2011 to receive their input to the recommendations in the report. The report has been revised to reflect this meeting. City of San Diego staff have no objection to the Overflight compatibility factor recommendations in this report, however they also recommend that each compatibility factor be presented to the Land Use & Housing Committee for official City input.

April 7, 2011 Staff Report

The San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, is required to prepare and adopt an Airport Land Use Compatibility Plan (ALUCP) for each of the public use and military airports within its jurisdiction per Pub. Util. Code §21674(c) and 21675(a). The purpose of the ALUCP is to protect the public health, safety and welfare by ensuring the orderly

000010

expansion of airports and the adoption of land use measures that minimize public exposure to excessive noise and safety hazards within areas around airports. In fulfillment of this mandate, the ALUC has adopted ALUCPs for the urban, rural, and U.S. Marine Corps airports in the county. ALUCPs for the two U.S. Navy airfields in the county will be developed once Air Installation Compatible Use Zones (AICUZ) studies are completed. In 2004, the ALUC adopted an ALUCP for San Diego International Airport (SDIA), which is now in the process of being updated through the involvement of interested parties and members of the general public to comprise a Steering Committee. To ensure transparency and to obtain input from all individuals with an interest in the SDIA ALUCP, the Steering Committee is open to anyone wishing to participate.

The second SDIA Steering Committee meeting was held on March 9, 2011, with a focus on the overflight compatibility factor. Overflight is one of four compatibility factors (along with airspace protection, safety zones, and noise contours) that must be taken into account when developing an ALUCP.

Overflight Definition

In the context of airport land use compatibility, overflights are any distinctly visible or audible passage of aircraft through an area and include tangible effects such as vibration, fumes and vapors. Under this definition, the aircraft does not need to be directly above the receiver to be considered an overflight nor does the receiver need to be within the Community Noise Equivalent Level (CNEL) contour which represents the noise impact zone.

Overflight Purpose

The primary purpose of the overflight compatibility factor is to disclose potential overflight effects within an overflight boundary. While the effects of overflight are not significant enough to warrant land use controls, the effects may be of concern to some people. The disclosure of potential overflights allows people to make informed decisions when purchasing property.

Handbook Guidance

The California Airport Land Use Planning Handbook (Handbook), prepared by the Caltrans Division of Aeronautics, advises ALUCs to identify where overflight concerns are likely to occur and promote land use compatibility in those areas, if possible. It also advises ALUCs to promote buyer awareness measures to inform potential buyers of real estate of the presence of aircraft overflights. The Handbook states that overflight areas should consider the following:

- Areas subject to noise concerns
- Areas subject to frequent aircraft overflight
- Areas subject to low altitude overflight

Current SDIA ALUCP Overflight Policy

The current SDIA ALUCP, adopted in 1992 and amended in 1994 and 2004, does not specifically address aircraft overflight. Rather, the current SDIA ALUCP focuses on noise compatibility, protection of airspace in runway approaches, and safety within the Runway Protection Zones. However, the Airport Influence Area (AIA) depicted in the current ALUCP serves as the boundary within which real estate disclosure is currently required by state law.

Previous ATAG/SDIA Subcommittee Work

The SDIA Subcommittee of the ALUCP Technical Advisory Group (ATAG) met from 2006-2007. Part of that work effort included working on a definition of an overflight boundary and suggested policies that emphasized buyer awareness and property owner notification policies. The Subcommittee process was suspended to focus on developing ALUCPs for the five "urban" airports in San Diego County, but before that occurred, a draft overflight map was created and the following potential policy options were discussed:

- Dedication of overflight easements
- Applications of state law on real estate disclosure (within "outer" overflight area)
- Recording of overflight acknowledgment for new residential development (within "inner" overflight area)
- Post signs in real estate offices of new residential projects
- Encourage local disclosure laws requiring disclosure of potential airport impacts for all residential sales, lease, and rental transactions within Overflight Area

Current Technical Analysis – Overflight Boundary Alternatives

Three overflight boundary alternatives were presented to the Steering Committee, based upon the following indicators:

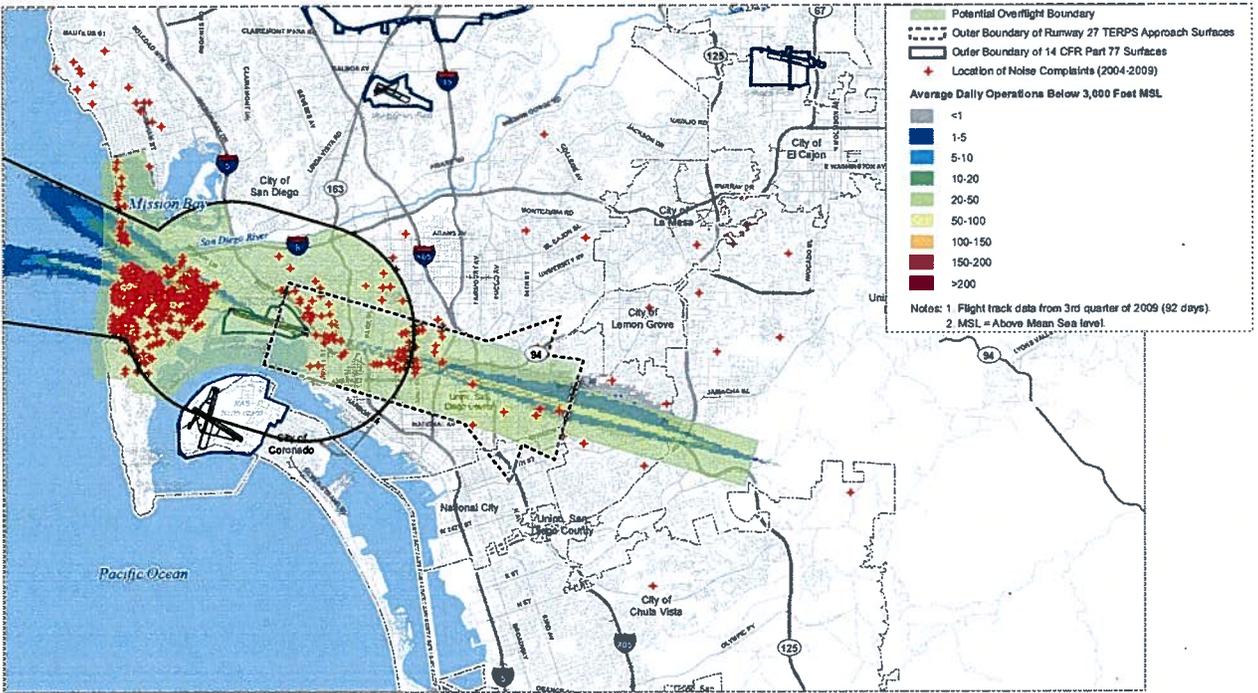
- Areas of overflight
 - Flight track patterns (areas exposed to frequent overflights at altitudes of less than 3,000 feet above Mean Sea Level [AMSL], 4,000 feet AMSL, and 5,000 feet AMSL)
- Areas of noise concern
 - Aircraft noise complaint patterns (areas within which noise and annoyance complaints have been filed over the past several years)
- Areas of low altitude overflight
 - Airport vicinity airspace – Part 77 and TERPS approach airspace (low altitude airspace protection areas)

These overflight indicators, which are all based on current conditions at SDIA, are expected to remain essentially the same over the 20-year ALUCP planning period. Aircraft flight patterns, including instrument approach and departure routes, will remain substantially the same, as will the types of aircraft operating at SDIA.

Overflight Boundary Alternative 1 is based on the combination of:

- Areas with greatest concentrations of noise complaint locations
- Airport vicinity airspace
- Density of flight tracks below 3,000 ft. AMSL (areas overflown an average of more than once per day)

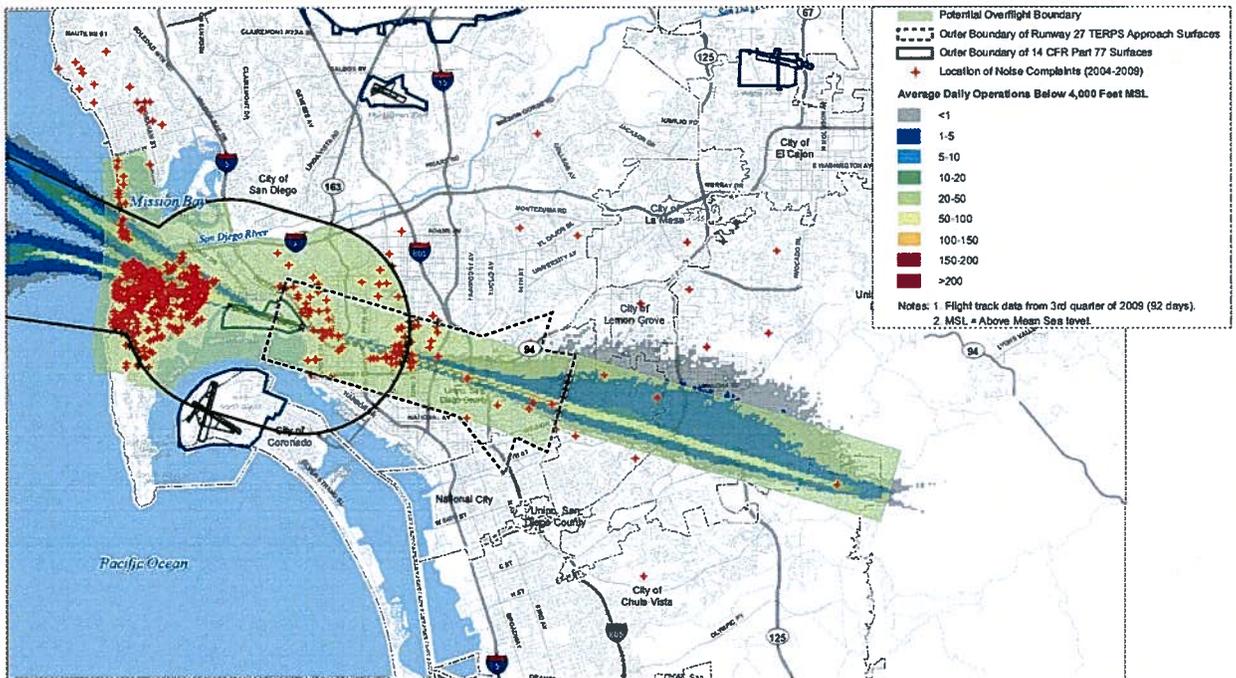
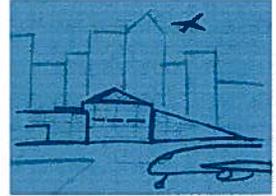
Alternative 1 – 3,000 Feet



Overflight Boundary Alternative 2 is the same as Alternative 1 within the airport vicinity airspace, but:

- Differs on the EAST side where the proposed area extends over the flight tracks of flights under 4,000 feet AMSL (overflowed more than once per day)

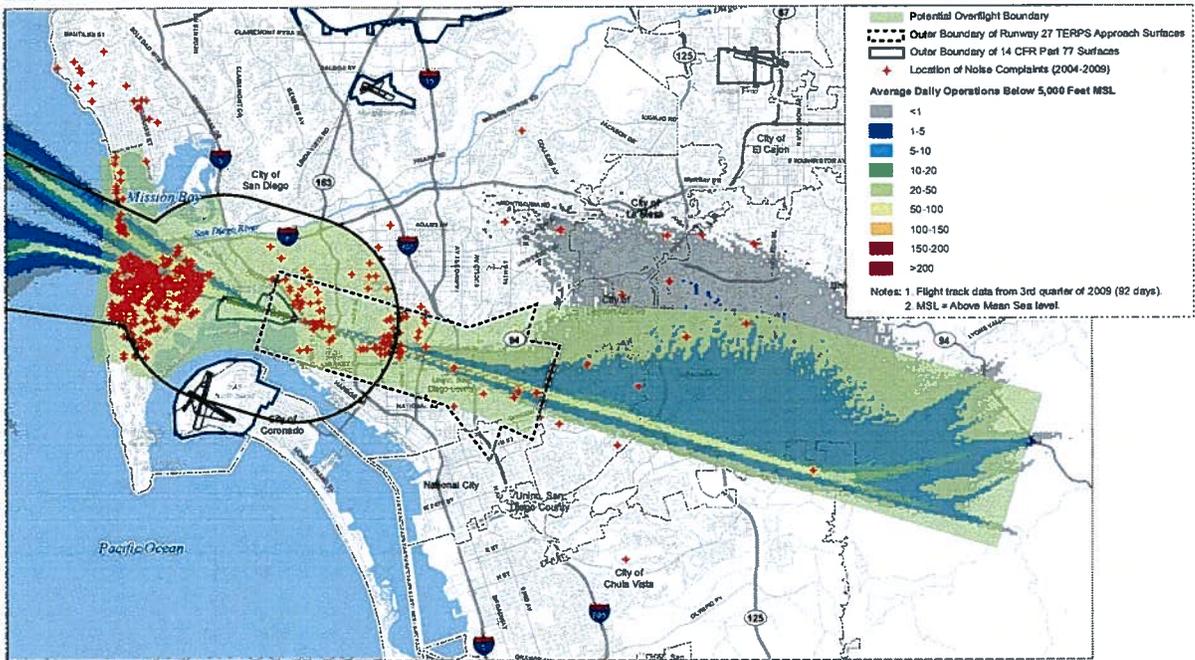
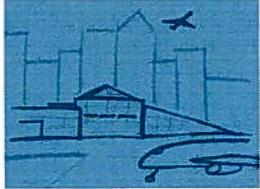
Alternative 2 – 4,000 Feet



Overflight Boundary Alternative 3 is the same as Alternatives 1 and 2 within the airport vicinity airspace, but:

- Differs on the EAST side where the proposed area extends over the flight tracks of flights under 5,000 feet AMSL (overflowed more than once per day)

Alternative 3 – 5,000 Feet



The Steering Committee was polled on the three above boundary alternatives and requested the addition of a fourth alternative based on flight tracks above 5,000 feet AMSL for consideration.

Fourteen of the attendees participated in the poll, with the results as follows:

- Alternative 1: 3,000 feet: 54% (8 participants)
- Alternative 2: 4,000 feet: 15% (2 participants)
- Alternative 3: 5,000 feet: 0%
- Alternative 4: 5,000 feet plus: 31% (4 participants)

Several members of the Steering Committee also voiced concerns about whether or not to include Bird Rock/La Jolla in the overflight area since noise complaints have been filed from that area based on the 310 departure heading. The poll results for this issue are as follows:

- Include Bird Rock and La Jolla: 71% (10 participants)
- Exclude Bird Rock and La Jolla: 29% (4 participants)

Potential Overflight Policies

The real estate disclosure provision of state law should be applied within the overflight area boundary and elsewhere in the AIA. This provision requires the sellers of any residential property within the AIA to provide notification that a property is within an AIA and may experience aircraft operations in the vicinity. There are a variety of ways notification can be provided.

Potential policies include:

1. Notices using the state's real estate disclosure language should be provided as part of all real estate transactions involving private property within the overflight area boundary and elsewhere within the AIA, especially any sale, lease, or rental of residential property, and even for transactions where state law does not mandate the disclosure.
2. In addition to the real estate disclosure requirements, an overflight notification document may be recorded for any local agency approval of new residential development within the overflight area boundary. Nonresidential development would not be subject to this notification requirement. Recordation of the overflight notification document need not be required for development where an aviation easement would be required under other provisions of the ALUCP.

There are a number of tools that local agencies could use to implement the overflight policy. The adoption by local agencies of alternative methods of providing overflight notification would be acceptable if they meet the basic objectives of the overflight policies.

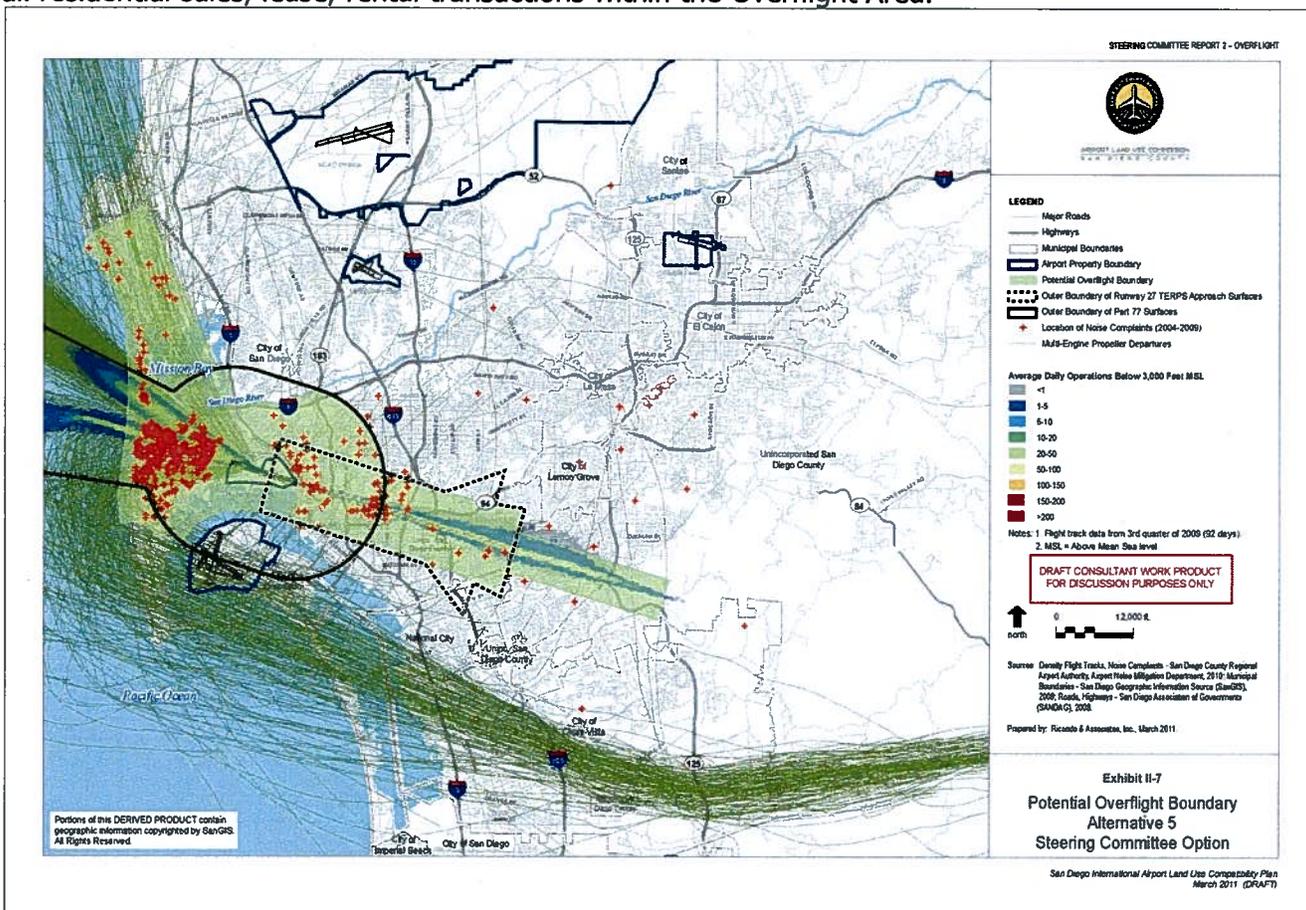
Staff Recommendation

Overflight Area:

Overflight Boundary Alternative 5 includes flight tracks under 3,000 feet AMSL (as shown in Alternative 1), with the addition of a portion of Bird Rock and La Jolla along the 310 degree departure heading from the Airport.

Overflight Policy:

Encourage local disclosure policies requiring notification of potential airport impacts for all residential sales, lease, rental transactions within the Overflight Area.



List of Attendees Who Signed In

SDIA ALUCP Steering Committee

PLEASE WRITE LEGIBLY
March 9, 2011

Name	Affiliation	Email Address (if you want to be placed on distribution list)
John G. Watzka	Self	
Roger A. Bratt	Self	
Renee Beach	CAASD	
Jim McCollum	Solar Turbines	
Mary Dick Bursbach		
Virginia Schwimer	LWSD	
Suhail Khalil	PCPB	
JARVIS ROSS		
Deanna Spehr	Sen Kehoe	

SDIA ALUCP Steering Committee

PLEASE WRITE LEGIBLY
March 9, 2011

Name	Affiliation	Email Address (if you want to be placed on distribution list)
B. NICHOLS	C.C.D.C.	
Aun McCaull	City of Coronado	
Neil Hyatt	Chamber of Commerce	
Steve Dorn	CITY OF CHULA VISTA	
John ZIEBARTH	AIA	
Louis Misko	Self	
Candice D. Magnus	Port of San Diego	
Cynthia Conger	445 Pt. Loma Ave	
Tal Baker	CBSA	

Project Timeline

The draft SDIA ALUCP and associated environmental documentation are expected to be completed for ALUC consideration in early 2013.

Fiscal Impact:

The SDIA ALUCP update program is funded through the Airport Planning FY11 operating budget.

Environmental Review:

- A. This ALUC presentation is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. This ALUC presentation is not a "project" subject to CEQA, Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This ALUC presentation is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

KEITH WILSCHETZ
DIRECTOR, AIRPORT PLANNING

ITEM 5



**PRESENTATION AND
POLICY DIRECTION ON
OVERFLIGHT FACTOR –
SAN DIEGO
INTERNATIONAL AIRPORT -
AIRPORT LAND USE
COMPATIBILITY PLAN**

Angela Jamison, Manager, Airport Planning

May 5, 2011



SDIA Status Update

- April 28, 2011- Steering Committee meeting and Open House on the noise compatibility factor



ALUC Direction Requested

- Potential Overflight Policy
- Overflight Boundary



Overflight Boundary

- Areas of overflight
 - Flight track patterns
- Areas of noise concern
 - Aircraft noise complaint patterns
- Areas of low altitude overflight
 - Airport vicinity airspace – Part 77 and TERPS approach airspace



ALUC Direction

- Alternative 1: 3,000 feet
 - Alternative 2: 4,000 feet
 - Alternative 3: 5,000 feet
 - Alternative 4: 5,000+ feet
-
- Include Bird Rock and La Jolla on the 310 departure heading
 - Exclude Bird Rock and La Jolla on the 310 departure heading



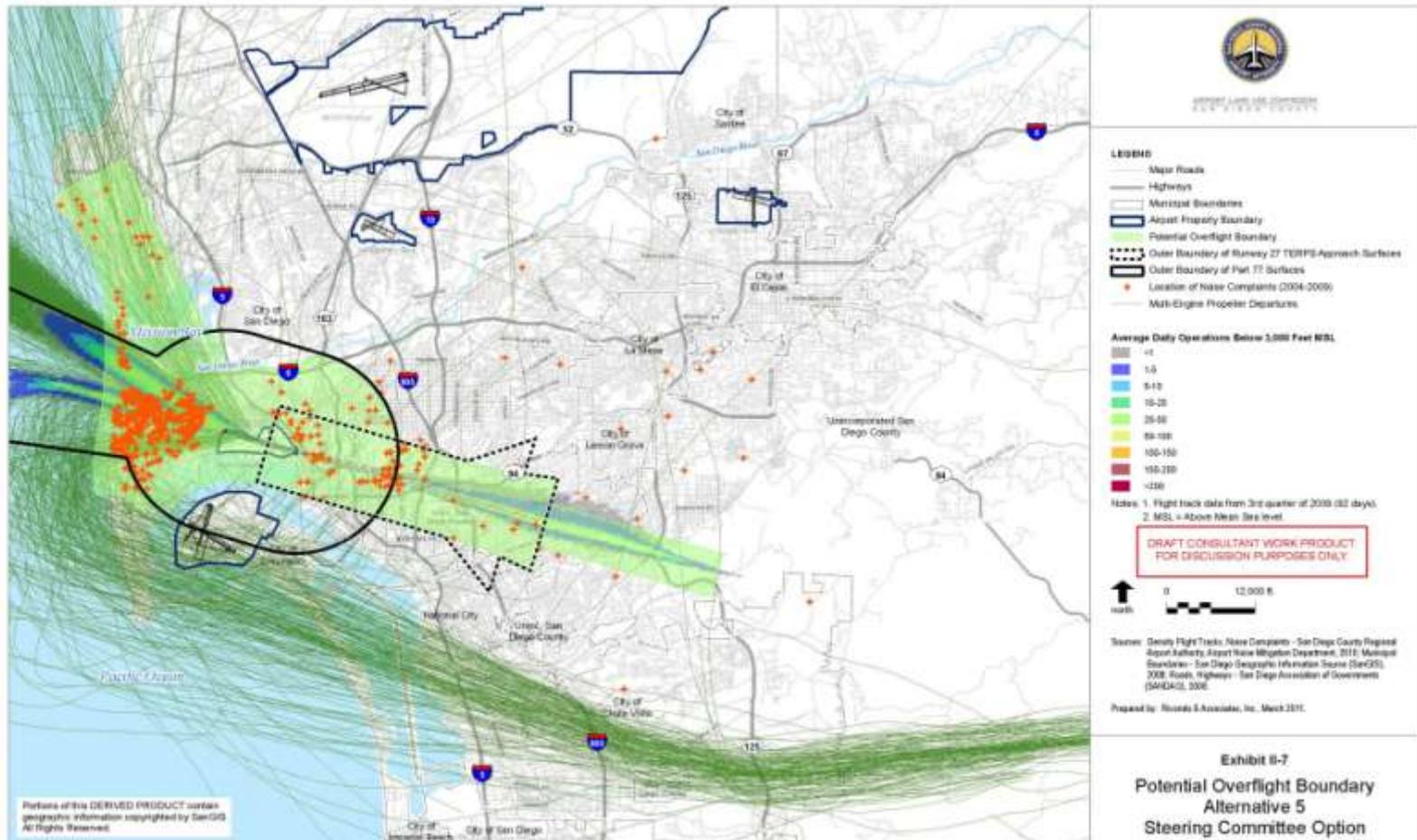
Staff Boundary Recommendation

- Alternative 5: 3,000 feet
- Include Bird Rock and La Jolla on the 310 departure heading



Staff Boundary Recommendation

STEERING COMMITTEE REPORT 2 - OVERFLIGHT





Staff Overflight Policy Recommendation

- Encourage local disclosure policies requiring notification of potential airport impacts for all residential sales, lease, rental transactions within Overflight Area