

Solano County Airport Land Use Commission



SOLANO COUNTY

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Bruce DuClair
Vice-Chairman

MINUTES OF THE SOLANO COUNTY AIRPORT LAND USE COMMISSION MEETING OF JUNE 9, 2016

The meeting of the Solano County Airport Land Use Commission was held in the Solano County Administration Center, Board of Supervisors Chambers (1st floor), 675 Texas Street, Fairfield, CA 94533

MEMBERS PRESENT: Commissioners Baumler, Vancil, Randall, Meyer and Chairman DuClair

MEMBERS ABSENT: Commissioners Baldwin, Cavanagh, and Sagun

OTHERS PRESENT: Jim Leland, Resource Management; Lee Axelrad, County Counsel; Kristine Letterman, Resource Management

Call to Order & Roll Call

Chairman DuClair called the meeting to order at 7:00 p.m. Roll call was taken and a quorum was present.

Approval of the Agenda

The agenda was approved as prepared.

Approval of the Minutes

The minutes of the meeting of March 10, 2016 were approved as prepared

Reports from Commissioners and/or Staff

There were no committee reports.

Items from the Public

There was no one from the public wishing to speak.

Old Business

There was no old business to discuss.

New Business

1. Conduct annual election of Chair and Vice-Chair as provided in the Bylaws.

Two separate motions were made and seconded to nominate Commissioners DuClair and Randall as Chair and Vice-Chair, respectively. Each motion passed unanimously.

2. Receive a presentation from staff on the potential for regulating drones.

Lee Axelrad, deputy county counsel, provided a short PowerPoint presentation about unmanned aircraft. He stated that it has been some time since the commission and staff as a group last

spoke about drones. Since that time, staff has done some background research on the subject looking at the legal context, the regulatory context involving the FAA, and learning more about the subject. Staff believed it would be a good time to return with a short presentation and a suggestion on some next steps that the county might want to consider taking. After the presentation Mr. Axelrad spoke about the context for how drones are spreading in their use, what the FAA thinks about new users, some of the risks involved, and the role of local government. He focused on the subject of the proliferation of the use of drones. According to the FAA in a recent report there are now more registered drone operators in the USA than registered manned aircraft.

Commissioner Meyer spoke regarding the subject of registered operators. If the FAA is currently implementing registration she wondered if previous owners are grandfathered in where registration is not required. She was curious as to how it would be implemented to insure people are registered.

Mr. Axelrad said it was his understanding that shortly before the 2015 holiday season the FAA established a registration system that was largely web based. The person buying a new drone would register it through a website with a short deadline to register. People who already had a drone would still need to register, but they had a longer timeline for registration.

Commissioner Meyer said if there are no consequences to not registering after the fact then there is no incentive.

Mr. Axelrad said that non-compliance will be a problem and that is an additional layer to this process. The documents the FAA is publishing recognize that they are setting up rules that may have some limited enforcement tools associated with them. There are some FAA guidance documents relating to law enforcement but they are limited. Mr. Axelrad said that we are relying on local law enforcement to take certain steps when someone has an accident with a drone.

Commissioner Meyer wanted to know if local law enforcement has access to the drone registry. Mr. Axelrad said that the registry is a web based data base and is supposed to be accessible to the public by way of an identifier located on the drone.

Commissioner Meyer brought up the issue of local land ownership and inquired as to how trespassing will be handled.

Mr. Axelrad said there is a navigation right-of-way that airplanes enjoy similar to that of an easement. The fact that a person on the ground owns a portion of land which includes the space up into the sky, it is trumped to some extent by the fact that they cannot interfere with airplanes in flight. The general rule for most pilots is 500 feet. For drones the proposed rule is the drone should be within visual range. Heights are articulated at 400 and 500 feet but none of those are regulatory rules as of yet. Mr. Axelrad said that essentially there is a live question that due to aircraft flying at such low heights much of the time is whether that is now considered the national airspace.

Commissioner Meyer asked about launch and recovery sites. She wanted to know if the thought was to push it toward limitations such as not being able to use a main road, or would it be more specific for drones. She commented that if someone were to live on a large ranch they would have more open area then if someone were located in a small neighborhood with more limited space.

Mr. Axelrad said there are a number of different ways to formulate it such as putting a specific distance from a school or busy road, or a specific rule that prohibits the use of a drone over private residential property. It could be specified that the county has researched and found specific places drones could be used, or place a rule that says drones can be flown anywhere but if an accident were to occur the operator would be personally responsible.

Commissioner Meyer said the hardest part will be the public education aspect of it. She said getting the information out there is going to be a struggle. Commissioner Baumler added that enforcement is going to be difficult as well.

Commissioner Vancil provided some background on the subject by stating that last fall when the FAA met with interested agencies before the holiday season anticipating the rise in drone sales, there were a number of agencies that wanted to do registration at the point of sale. The pilot's unions were adamant that drones should be registered at sale because after that there is no guarantee someone will register. On the other side the retailers and manufactures did not want to do that because they did not want to limit sales. Ultimately what they came down with is that the FAA would set up a method for registering as a requirement, but it was left up to the owner to do it. With regard to height, Mr. Vancil stated that currently there is a Class G airspace which is everything below 400 feet and is uncontrolled airspace. He believed that a ruling came down recently that drones stay within that Class G airspace with the caveat of staying 200 feet above ground. Mr. Vancil suggested that if the commission puts together an ad hoc committee to include representatives from surrounding airports to gather their input regarding the safety issues.

3. Receive a report from staff on the Rio Vista Airport Land Use Compatibility Plan (RVALUCP) Update and the Travis Joint Land Use Study (JLUS).

Mr. Leland informed the commission that the county has contracted with ESA Airports to prepare the update for the Rio Vista ALUCP and are in the early phase of the project which is mapping and data gathering. Staff is working on getting some assignments from the City of Rio Vista for the technical advisory committee that will advise ESA during the process.

Mr. Leland stated that the JLUS has been underway since February of this year. The consultant, Matrix Design has made an extensive effort and has recently conducted a round of interviews with various parties from various stakeholder groups and Travis AFB itself. They are digesting the information and are due out with their first written report in August.

Adjournment

Since there was no further business, the meeting was **adjourned**.