

DEPARTMENT OF TRANSPORTATION**ATTACHMENT G**

DIVISION OF AERONAUTICS – M.S. #40

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*Making Conservation
a California Way of Life.*

August 6, 2019

Mr. Andrew Orfila, Principal Transportation Planner
Santa Barbara County Association of Governments
260 North San Antonio Road, Suite B
Santa Barbara, CA 93110-1315

Dear Mr. Orfila:

Thank you for contacting the California Department of Transportation (Caltrans), Division of Aeronautics (Division) on July 12, 2019, and expressing the city of Goleta's (City) objections regarding the Santa Barbara County Airport Land Use Compatibility Plan (ALUCP) update. Consequently, the Santa Barbara County Association of Governments, acting as the Airport Land Use Commission (ALUC), proposed to the Division that it would like to adopt the five separate ALUCPs for four public-use airports (Lompoc, Santa Maria, Santa Ynez, and New Cuyama Airports) and Vandenberg Air Force Base in Santa Barbara County and then adopt an ALUCP for the Santa Barbara Airport (SBA) at a later date. This would allow the five other ALUCPs to be adopted without controversy. The ALUC is proposing the five ALUCPs separately because the City stated to the ALUC that it would take adverse action if the ALUC adopted the ALUCP that includes SBA. The ALUC also stated that the cost for a legal contest is beyond their budget. In addition, the ALUC requested a change in project scope and stated that it would continue to submit invoices for project costs.

A purpose of the Division is to assist and support cities, counties, and ALUCs in the development and implementation of airport land use compatibility planning, in accordance with California Public Utilities Code (PUC) section 21670 et. seq. Any attempt by a local jurisdiction to circumvent the State Aeronautics Act and to prevent the adoption of statutorily based airport land use compatibility planning policies is a violation of State law. (Please see *Watsonville Pilots Association v. City of Watsonville (2010) 183 Cal.App.4th 1049.*) The Division will support the ALUC in its objective of adopting the complete ALUCP update, in accordance with the Division's jurisdictional authority as upheld in the Watsonville case.

The Santa Barbara countywide ALUCP update, or six separate ALUCPs, is of vital significance to the State. It is the tool for ensuring the expressed intent and purpose of the State to minimize safety hazards and noise nuisance around airports while promoting the orderly growth of airports.

The State finds it crucial that the ALUC adopt a complete ALUCP update. According to the Acquisition and Development Grant Agreement executed between the Division

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and ALUC, the ALUC is obligated to adopt an ALUCP including SBA. In lieu of the countywide ALUCP, the Division will accept six ALUCPs for the public-use airports in the Santa Barbara County and Vandenberg Air Force Base. The ALUCP or ALUCPs must be adopted before September 15, 2019. If the ALUC does not adopt an ALUCP according to the conditions as mandated in the Grant Agreement, the Division would perceive this act as a material failure of compliance with the intent and purpose of the agreement, and a violation of State law. PUC section 21675(a) requires that the adopted ALUCP be based on the anticipated growth of the airport for at least the next 20 years. The current ALUCP does not accomplish this requirement.

If you have questions or need further assistance, please contact me at (916) 654-5314 or via email at robert.fiore@dot.ca.gov.

Sincerely,



ROBERT FIORE
Aviation Planner

c: Michelle Greene, City Manager, City of Goleta, 130 Cremona Drive, Suite B,
Goleta CA, 93117-5599