

**AIRPORT LAND USE COMMISSION
MINUTE ORDER JULY 1, 2016
RIVERSIDE SPECIAL MEETING**

A special scheduled meeting of the Airport Land Use Commission was held on July 1, 2016 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Arthur Butler
Glen Holmes
Steve Manos
Russell Betts, Alternate for Greg Pettis
Richard Stewart, Alternate for Rod Ballance
Beth La Rock, Alternate for John Lyon

COMMISSIONERS ABSENT: Greg Pettis
Rod Ballance
John Lyon

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Paul Rull, Urban Regional Planner IV
Barbara Santos, ALUC Commission Secretary
Raymond Mistica, ALUC Counsel

OTHERS PRESENT: Robert Field, Riverside County EDA
James Kelly, NRG

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I. **AGENDA ITEM 2.1: ZAP1011BL16 – NRG Energy (NRG Renew DG Holdings LLC) (Representative: James Kelly)** – County Case No.: CUP 03728 (Conditional Use Permit). The applicant proposes amendments to the conditions of approval applied by ALUC in its finding of conditional consistency for ZAP1005BL09, which initially applied to a 100 megawatt (MW) solar photovoltaic facility on 640 acres on the grounds of Blythe Airport. The applicant proposes a reduced-scale 20 MW project on 156 acres with modifications to Condition 1B relating to glare, Condition 5 relating to Compatibility Zone B1 and underground installation of electric lines, Condition 9 relating to the maximum height and elevation above mean sea level of the electric lines, which would extend southerly along Butch Avenue, easterly along Riverside Avenue, and southerly along Buck Boulevard, and Condition 11 requiring ALUC review of changes in coordinates of the array, electric lines, and maintenance building. Specifically, to allow poles with a maximum height of 51.5 feet and maximum elevation of 442 feet above mean sea level northerly of the east-west runway and easterly of the north-south runway (Airport Compatibility Zones C, D, B1 and A of the Blythe Airport Influence Area – no array in A or B1, no poles in A).

II. **MAJOR ISSUES**

The increased height of electrical lines within Compatibility Zone B1 affects the cumulative impact of the proliferation of lines in the area surrounding Blythe Airport. Additionally, use of the Solar Glare Hazard Analysis Tool indicates that the proposed project will result in glare at the landing threshold and at distances less than one-half mile from the runway. However, this is a previously approved project.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the proposed project, subject to the conditions specified herein.

IV. **PROJECT DESCRIPTION**

The applicant proposes amendments to the conditions of approval applied by ALUC in its finding of conditional consistency for ZAP1005BL09, which initially applied to a 100 megawatt (MW) solar photovoltaic facility on 640 acres on the grounds of Blythe Airport. The applicant is proposing a reduced-scale 20 MW project on 156 acres with modifications to Condition 1b relating to glare, Condition 5 relating to Compatibility Zone B1 and underground installation of electric lines, Condition 9 relating to the maximum height and elevation above mean sea level of the electric lines (which would extend southerly along Butch Avenue and easterly along Riverside Avenue, tying in to an existing electric line at the corner of Riverside Avenue and Buck Boulevard), and Condition 11 requiring ALUC review of changes in coordinates of the array, electric lines, and maintenance building. Specifically, the applicant requests that poles be allowed with a maximum height of 51.5 feet and a maximum elevation (at top point) of 442 feet above mean sea level.

CONDITIONS: Subject to the following amended conditions (new text added in 2016 in *italics*; text deleted in 2016 in ~~strikethrough~~):

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.

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- (b) Any use ~~that would result in an ocular impact that would compromise the safety of air traffic at the airport. 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.
 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. In the event that any incidence of glare or electrical interference affecting the safety of air navigation occurs as a result of project operation, the permittee shall be required to take all measures necessary to eliminate such glare or interference. *In the event that airport operator is notified of a Glare Incident (as defined below), airport operator shall notify the project operator of such Glare Incident in writing, and within 30 days of such notice project operator shall conduct an investigation of the Glare Incident and promptly submit the results of such investigation to the airport operator. If such investigation confirms occurrence of a Glare Incident, project operator shall develop a proposed remedy to prevent reoccurrence of the Glare Incident, which investigation and remedy shall be subject to airport operator's reasonable review and approval. Project operator shall notify airport operator of the implementation date of such remedy, and if airport operator within 30 days of such date receives notification of a new Glare Incident, airport operator and project operator shall repeat the process described herein. Upon either (i) airport operator's approval of project operator's investigation concluding no occurrence of a Glare Incident, or (ii) no receipt of notification of a Glare Incident by project operator within 30 days of project operator's implementation of a remedy, such Glare Incident shall be considered resolved for the purpose of project operator's compliance with the requirements of this Condition. Glare Incident is defined as the occurrence of glint, glare or flash from the project that results in a flight accident, jeopardizes the safe operation of a flight or results in a specific safety complaint from a pilot to the airport operator or federal, state or county authorities responsible for the safety of air navigation.*
 5. Any new electrical ~~transmission or distribution~~ line segments for this project ~~that would extend across the extended runway centerline of the east-west runway at Blythe Airport located within Airport Compatibility Zone B1~~ shall be installed underground. This requirement specifically applies to the segments of the *initially* proposed 30kV line (approximately 1,500 feet in length) paralleling the easterly boundary of Airport Compatibility Zone A.

As an alternative to underground installation of this 30kV line, the applicant may select the route alignment ~~depicted as Option C (a line proceeding southerly along Butch, then easterly along Riverside, connecting with then southerly along Buck to an existing electric line transmission lines) at the intersection of Riverside Avenue and Buck Boulevard, as depicted on Figure 4 the aerial photo exhibit labeled "BLYTHE II SOLAR PROJECT Project Layout Approved By CUP" prepared by The Holt Group on file with this application, as the Option C alignment does not extend into Airport Compatibility Zone B1.~~

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~~The following conditions have been added pursuant to the terms of the FAA determination letter issued on August 4, 2010:~~

6. The Federal Aviation Administration (FAA) has issued its Final Determination letter for Aeronautical Study Nos. ~~2015-AWP-2329-NRA through 2015-AWP-2351-NRA 2010-AWP-150-NRA, 2010-AWP-196-NRA through 2010-AWP-216-NRA, and 2010-AWP-459-NRA,~~ and has Indicated no objections to the construction of the proposed project. The letter does not state that either marking or lighting of the array and/or the proposed *electric transmission* line towers would be necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 K Change 2.
7. The permittee shall comply with the requirements set forth in FAA Advisory Circular 150/5370-2E, "Operational Safety on Airports During Construction."
8. The maximum height of the array (solar photovoltaic panels, trackers, inverters, and wires), excluding structures and *electric transmission* line towers, shall not exceed ten (10) feet above ground level, and the maximum elevation above sea level shall not exceed 406 feet above mean sea level, *unless the FAA permits a higher elevation above mean sea level pursuant to written documentation.*
9. The maximum height of the *electric transmission* line towers/poles shall not exceed ~~nineteen (19)~~ *fifty (50)* feet above ground level, *except for two poles that may be up to 51.5 feet above ground level,* and the maximum elevation above mean sea level shall not exceed the elevation as referenced in Table 1 of the FAA letter dated ~~August 4, 2010~~ *January 15, 2016.* Such elevation shall not exceed ~~416~~ *442* feet above mean sea level.
10. The maximum height of the maintenance building shall not exceed twenty-five (25) feet above ground level, and the maximum elevation shall not exceed 421 feet above mean sea level.
11. The specific coordinates, heights, and top point elevations of the proposed array, *electric transmission* line towers/poles, and maintenance building shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building, *array, or pole* height or elevation *and/or adjustments in the location of the array and/or maintenance building by less than 50 feet of horizontal distance (as long as the adjustment does not place panels or structures in a more restrictive Compatibility Zone)* shall not require further review by the Airport Land Use Commission. *Adjustment in location of poles on Butch Boulevard that would remain within the 12 foot SCE easement will not require further review by ALUC.*
12. Temporary construction equipment used during actual construction of the project shall not exceed the height of the proposed maintenance building *or the height of the structure being constructed, whichever is greater,* unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

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V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org

The following spoke in favor of the project:

James Kelly, NRG, 5790 Fleet Street, Suite 200, Carlsbad, CA 92008

The following spoke neither for or against the project, but added information to the decision making process:

Robert Field, Riverside County EDA

No one spoke in opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT**, adopting the changes to Condition 8 and 11 as proposed by the applicant with the addition at the end of condition 11 of the additional phrase "by ALUC" as presented by staff.

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.1: TIME: 10 A.M.

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I. **3.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

None

II. **4.0 COMMISSIONER'S COMMENTS**

None

III. **5.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 10:30 A.M.

IV. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rcilma.org.

ITEM 3.0: TIME IS 10:29 A.M.