



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 26, 2019

Subject: Authorization to Use a Portion of the Mariposa Energy Project Community Benefits Fund for Three Byron Airport Projects

RECOMMENDATION(S):

APPROVE and AUTHORIZE the use of a portion of the Mariposa Energy Project Community Benefits Fund for three Byron Airport Projects as recommended by Supervisor Diane Burgis: (1) to complete the Federal Aviation Administration process to re-designate 36-acres for non-aeronautical use; (2) to complete a water service and environmental analysis related to the Byron Airport General Plan Amendment program; and (3) to purchase and erect a modular Aircraft Rescue and Firefighting/maintenance storage building (District III).

FISCAL IMPACT:

There is no negative impact on the General Fund. The total cost for these three combined Byron Airport projects is approximately \$204,000. These projects are not eligible for FAA funding and the Mariposa Energy Project Community Benefits Fund will provide project funds. The Mariposa Community Benefit Fund was established to enhance and support the Byron Airport.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/26/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Diane Burgis, District III
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 26, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)
681-4200

cc:

BACKGROUND:

The Byron Airport (Airport) Master Plan, approved in 2005, identified a diversity of aviation and aviation-related land uses for the long-term build-out of the Airport. To fully implement the Airport Master Plan, it was necessary to undertake a General Plan Amendment (GPA) process to provide consistency with and allow for the range of contemplated land uses. The GPA also requires an environmental analysis of the proposed changes before the amendment can be considered for approval.

This process was initiated by the Department of Conservation and Development, working in collaboration with the Airports, in December 2012. The GPA and environmental processes were estimated to have a project cost range of \$90,000 to \$250,000. On December 11, 2012, the Board approved using up to \$250,000 of the Mariposa Community Benefit Fund for this GPA and related environmental processes. On August 14, 2018, the Board approved using an additional \$49,250 to update the Byron Airport Chapter of the Airport Land Use Compatibility Plan.

During the course of preparing the GPA process documents, additional land and environmental analysis were identified as necessary to complete the process and achieve consistency with governing policies and plans. Additional Mariposa Community Benefit Funds are being requested for the following items related to the Byron Airport GPA process:

1. On April 24, 2018, the Board authorized staff to negotiate a ground lease and development terms for approximately 36-acres of County owned land at the Byron Airport. The proposed use was for a compatible non-aviation development on land described for non-aviation use in the Byron Airport Master Plan (Airport Master Plan). This land, however, was not formally released for non-aeronautical use by the Federal Aviation Administration (FAA). A land release request package must be prepared in order for the FAA to make a determination. As the requested action could result in a change to the Airport Master Plan, the land release request package must comply with the National Environmental Policy Act (NEPA). The cost to prepare a documented categorical exclusion (CATEX) is approximately \$50,000. It is possible that an Environmental Assessment may be required if there are identified critical items during the preparation of the CATEX or if the FAA determines that a higher level NEPA evaluation is necessary. Completion of the GPA process and FAA release of the 36-acres for non-aeronautical use is required before a lease can be executed.
2. An additional \$49,000 from the Mariposa Community Benefit Fund is requested to perform a water supply assessment (WSA) and environmental studies for a 11.7-acre parcel adjacent to the Byron Airport. A WSA, under Senate Bill 610, determines the water supply sufficiency for the existing and other planned future land uses at the Byron Airport. The WSA is necessary in order to expedite implementation and development at the Byron Airport consistent with the Airport Master Plan and completion of the associated GPA process. The cost to prepare the WSA is about \$35,920.

The prospective developer (Developer) of the 36-acres discussed above has been preparing potential site plans for the proposed non-aviation development. The portion of the property adjacent to Armstrong Road is irregular in shape and has limited street access for ingress and egress. To improve the parcel configuration and future usage, the Developer discussed acquiring an adjacent 11.7-acre parcel with the landowner who is interested in selling the property. The intent would be to incorporate the added 11.7-acre property into the non-aviation development and to ultimately convey the property to the County for the Byron Airport. As a result, additional environmental studies are needed to include the 11.7-acre property in the Byron Airport GPA program. The cost for the environmental studies is about \$14,100.

An additional \$105,000 of Mariposa Community Benefit Funds are being requested to purchase and erect a modular building for storage of Aircraft Rescue and Firefighting (ARFF) apparatus and airport equipment. The ARFF apparatus and airport equipment has been stored in a County owned aircraft storage hangar. The replacement apparatus is too large to fit into the hangar and the Airport was going to use a portion of the 505 Eagle Court maintenance hangar for storage of the new apparatus. However, an aviation business expressed interest in that maintenance hangar. As such, the Airport would like to purchase and erect a 50' by 50' storage facility properly equipped to house the ARFF apparatus in addition to consolidating all other airport equipment at Byron Airport. This would also allow the rental of additional aircraft facilities that would generate additional revenue to the Airport Enterprise Fund.

The Mariposa Energy Project Community Benefits Fund was established to enhance and support the Byron Airport. The proposed use of the Mariposa Community Benefit Fund to update the Byron Airport Chapter of the ALUCP was reviewed and approved by the Aviation Advisory Committee at their December 13, 2018, and February 14, 2019 meetings.

On February 13, 2019, the Airport Committee approved forwarding a total combined approximate use of \$204,000 of the Mariposa Community Benefit Funds for added land and environmental analysis related to the Byron General Plan Amendment program and to purchase and erect a modular building for storage of the ARFF equipment to the full Board of Supervisors for their review and approval.

CONSEQUENCE OF NEGATIVE ACTION:

If the Airports Division is unable to proceed with the added work related to the Byron Airport GPA, it will be inconsistent with the Airport Master Plan and GPA which could cause the contemplated development opportunities not to be realized. In addition, if the Airports Division is unable to purchase and erect a modular building for storage of ARFF apparatus and airport equipment, then the maintenance hangar would not be available for the new business interest which would result in a loss of revenue and services at the Byron Airport.