



NEVADA COUNTY TRANSPORTATION COMMISSION

Grass Valley • Nevada City • Nevada County • Truckee

“CORRECTED” MINUTES OF MEETING July 20, 2011

A meeting of the Nevada County Transportation Commission (NCTC) was held on Wednesday, July 20, 2011 in the Town of Truckee Council Chambers, 10183 Truckee Airport Road, Truckee, California. The meeting was scheduled for 9:30 a.m.

Members Present: Nate Beason, Carolyn Wallace Dee, Ann Guerra, Sally Harris, Larry Jostes, Dan Miller, and Ed Scofield

Staff Present: Daniel Landon, Executive Director; Mike Woodman, Transportation Planner; Nancy Holman, Administrative Services Officer; Toni Perry, Administrative Assistant

Standing Orders: Chairman Jostes convened the Nevada County Transportation Commission meeting at 9:30 a.m.

Pledge of Allegiance

PUBLIC COMMENT

Denny Dickinson, a residence of 10579 Rosa Court in the Town of Truckee, spoke on behalf of himself and fifteen other residents present at the meeting who signed and submitted a roster of names and addresses for the record. Their focus of concern was the lack of public transportation from the Truckee to Reno and from Truckee to Sacramento. Mr. Dickinson said there is only one transportation system that can be used to get to and from Sacramento from Truckee and that is a Greyhound bus. He said there are empty Capitol Corridor/Amtrak buses that run through Truckee, but the State of California has a law that says no one can get on the Capitol Corridor bus unless they have ridden the train. In order for a Truckee resident to get to the Sacramento Airport using the Capitol Corridor, they have to buy a ticket to Davis and then get to the airport from Davis; the cost is \$34.

Mr. Dickinson indicated that many seniors in Truckee have no means to go to the doctor in Reno, other than to ask a friend to drive them. There is no public transportation available to Reno other than a Greyhound bus; it costs \$15 and the services are limited to two times daily. That means you usually have to stay overnight and then hope you can get the bus back the next day after you have conducted your business.

Mr. Dickinson requested the Commission approach the State of California Legislature with a request to change the law and make an exception in order to allow Truckee residents to ride the Amtrak bus. He recognized that this was not an agenda item, therefore he asked NCTC to direct staff to look into the issue, meet with some of the people in attendance at the Truckee Senior Center, and come up with a plan to resolve the problem.

Chairman Jostes thanked Mr. Dickinson for his presentation, stated that the Commission had a good picture of what was being requested, could not speak to what the solutions might be, and opened up for comments from the other Commissioners.

Commissioner Dee reported that the Truckee-North Tahoe Transportation Management Association (TNT/TMA) was already addressing the problem. She said they are organizing a volunteer driver program and they hope to have it operational by September. They are working through the Tahoe Forest Hospital, with the Truckee Senior Center, and with the American Cancer Society. Commissioner Dee said they already have ten volunteer drivers and their goal is to have thirty drivers by the end of August. The drivers are being trained and they also have an insurance umbrella for them. She encouraged Mr. Dickinson to get in touch with Jan Colyer, Executive Director of the TNT/TMA in Tahoe City, to have her speak at the Senior Center about the new services. The services are not only for seniors, but for everyone in the Town of Truckee. Commissioner Dee added that there is more that could be done, but the problem is being addressed. She noted there is also an Airport Express that runs from the Tahoe Basin to Reno and it is on-demand so a reservation can be made ahead of time; the service runs about five times a day, which is more convenient.

Marilyn Check, from the Senior Center, questioned how to get in touch with Jan Colyer. She was given that information.

Commissioner Guerra commented on the great interest expressed by the numbers who attended the meeting. She encouraged them to participate in the process being offered and also to inquire and ensure that wheel chair accessibility is part of the plan because that detail can be overlooked in a driver sharing program.

Executive Director Landon noted that NCTC staff is involved with the TNT/TMA and will continue to monitor the process. He added that each year in the fall there is an unmet needs hearing in the Kings Beach area and staff will make note to include the concerns brought up at the meeting so it can be appropriately addressed.

CONSENT ITEMS

1. Financial Reports

A. April 2011 and May 2011. *Approved.*

2. NCTC Minutes

May 18, 2011 Meeting. *Approved.*

3. Allocation Request from Nevada County. *Adopted Resolution 11-26 accepting the County of Nevada's request for \$1,450,363 of Local Transportation Funds to be allocated for transit/paratransit operations, and an allocation of \$110,996 from Community Transit Services Funds for operations of paratransit services for FY 2011/12.*

4. Allocation Request from the City of Grass Valley. *Adopted Resolution 11-27 accepting Grass Valley's request for \$274,130 of Local Transportation Funds to be allocated for transit/paratransit operations for FY 2011/12.*

5. Allocation Request from the City of Nevada City. *Adopted Resolution 11-28 accepting Nevada City's request for \$66,410 of Local Transportation Funds to be allocated for transit/paratransit operations for FY 2011/12.*
6. Allocation Request from the Town of Truckee. *Adopted Resolution 11-29 accepting the Town of Truckee's request for \$347,926 of Local Transportation Funds to be allocated for transit/paratransit operations for FY 2011/12; and adopted Resolution 11-30 accepting Truckee's request for \$69,390 of State Transit Assistance Funds to be allocated for transit/paratransit operations for FY 2011/12.*

Commissioner Guerra made a motion to approve the Consent Calendar. Commissioner Scofield seconded the motion. The motion passed unanimously.

INFORMATIONAL ITEMS

7. Correspondence

There were no comments on correspondence.

8. Executive Director's Report

8.1 Potential Changes in Air Quality Standards

Executive Director Landon reported on the recent visit that he, Commissioner Scofield, Supervisor Ted Owens, and Consultant John Dunlap made to Washington, D.C. regarding the United States Environmental Protection Agency (U.S. EPA) proposed changes in air quality standards. He thought they were well received. They flew in on Wednesday afternoon June 29th, and starting at 10:00 a.m. Thursday they had meetings back-to-back until 4:00 p.m. Mr. Landon noted that the EPA said the group was timely with their presentation and they understood the issues. They met with Janet McCabe who is the Chief Deputy for the U.S. EPA's Office of Air and Radiation. During that meeting she had her technical staff from North Carolina, who is actually developing the policies, on the phone with them. Mr. Landon felt they were able to make their case. He said it was encouraging that one week later EPA took direction and made policy regarding transportation of coal-fired power plant emissions, which he thought had a parallel, and he thought there may be future favorable policies that come out with regard to transmission of ozone from the Sacramento/San Francisco Bay Area to Nevada County. He reviewed that it was timely, well received, and he is hopeful for a good outcome.

Commissioner Scofield thanked the Commission for the opportunity to go on the trip. He reviewed the issue that he and Supervisor Owens were looking at was if Nevada County is merged into the Sacramento Area, stricter regulations for businesses in the county would be imposed. He said as far as NCTC is concerned, they felt it would possibly be a loss of funds for transportation projects in Nevada County. He was very impressed with the entire day of meetings. The group met with Congressman McClintock's office, Congressman Herger's office, and then the EPA. Commissioner Scofield said if the EPA was not going to listen to the group from Nevada County, and the meeting was only a courtesy visit, he did not think they would have had the technical people from North Carolina on the phone. They also had Region 9 from San Francisco in on the conference call. Commissioner Scofield noted that John Dunlap, a former Chairman of the California Air Resources Board, served as a consultant for Nevada County on the trip, and people recognized the group knew what they were talking about. Commissioner Scofield commended Executive Director Landon for

his role and commented that when he used air quality acronyms, Janet McCabe was impressed with his depth of knowledge on the subject. They met next with Senator Boxer's office because she handles that particular committee and they got a good reception there as well. They also met with Senator Inhofe's office from Oklahoma, who is the minority senator on that committee. Commissioner Scofield said the group got a little lesson in politics there; it was the end of the day and everyone wanted to catch the plane for home, and for the first time in all of the meetings, the group was hit with questioning of whether they knew what they were talking about. The group had to convince the counsel for the senator's office as to their depth of knowledge. The staff asked why they would support anything that Barbara Boxer supports. The gentleman giving them a hard time eventually conceded that any rural community in a geographical position in the United States would have similar issues. Commissioner Scofield felt that by the time the group left for home both sides understood and supported their stand. He commented that Commissioner Beason had seen an article in the Wall Street Journal after the trip, and Commissioner Scofield thought their input from the visit had something to do with what was stated. The article said that no community should have to bear the burden of another community's polluters. Commissioner Scofield praised the efforts of Executive Director Landon and John Dunlap.

Chairman Jostes asked if other communities in the U.S. were lobbying to defend themselves with similar issues. Executive Director Landon replied that he knew of two counties in Northern Utah, Tooele County and Box Elder County, that have similar issues with Salt Lake County being the emitter. They have filed suit in the Tenth District Court of Appeals and Robert Weidener, who is the county's federal lobbyist, is working on getting a status and will report back to see if there would be an opportunity to either utilize their information or in some fashion join with them in working with the U.S. EPA. Chairman Jostes asked if this ruling goes against Nevada County, would there be any appeal process to the regulation or does it go into a law suit. Mr. Landon said in late July or early August the proposed implementation guidelines will come out and there will be a public comment period for them. After 45 or 60 days, the U.S. EPA will make a final determination of their policies. If at that point the county has not received what is thought to be an appropriate treatment, NCTC and/or the county could then decide whether to follow-up with some type of legal action.

8.2 North State Super Region

Executive Director Landon reported that the North State Super Region has continued to meet and the next scheduled meeting is in August. They will be working on developing the scope of work related to a \$225,000 Regional Blueprint Program grant from Caltrans to look at the transportation and economic relationships in the North State. The target or objective is to help attract new business and more secure year-round employment to the North State Region of California.

8.3 Tinloy Street Transit Transfer Center Project

Executive Director Landon noted that the Transfer Center is getting ready for construction. Bids have been received and accepted. There is a second bid that will construct the restroom facility and that bid will open on July 28th.

Commissioner Scofield reported that at the previous Transit Services Commission (TSC) meeting, they agreed that they should send a response to The Union regarding the editorial of the previous day regarding the Transit Transfer Center. He asked Executive Director Landon and Doug Farrell, Director of the Nevada County Public Works Department, to help with details so Chairman Guerra of the TSC and himself could co-sign the letter.

9. Caltrans District 3 Project Status Report: Winder Bajwa, Caltrans Project Manager for Nevada County.

- *Dorsey Drive Interchange* – Mr. Bajwa reported that the design work is done and has been submitted to the City of Grass Valley to take over construction administration of the project. The last two parcels to acquire for the interchange project have signed right-of-way (R/W) agreements that will allow the R/W certification to move forward. Caltrans is in the process of signing a Cooperative Agreement with the City of Grass Valley to transfer the lead of the project to them. Then Caltrans will request a State Transportation Improvement Program (STIP) Amendment with the California Transportation Commission (CTC) to transfer the lead agency designation to Grass Valley. Mr. Bajwa said there would be a meeting that Friday with staff from the City of Grass Valley, Caltrans, and NCTC in Sacramento to resolve some issues regarding the Cooperative Agreement. He reported that the cost estimate for construction was around \$14.5 million six months ago and they are not going to change the estimate. He believes the financial plan for the project is good. When Caltrans is given notification from the city or NCTC, they will request the CTC allocate the \$10.5 million of STIP funding this fiscal year. Currently it is in FY 2012/13 so it will need to be advanced to this fiscal year to go out to bid.

Commissioner Harris asked that once the project has been transferred to the City of Grass Valley as lead agency, she would like to have NCTC get updates regularly, given the funding that is going towards the project.

Chairman Jostes said it appears they are doing a significant amount of utility work in the area, and he assumed it was from previously budgeted and approved funds. Mr. Bajwa said utility relocation work is funded by the R/W allocation of \$3 million from several years ago.

Commissioner Beason read from the Caltrans Report that “Additional project design and development expenditures will exceed the programmed budget.” Mr. Bajwa said that Caltrans has almost exhausted the \$3 million with the expenditures for design and development as of June 28, 2011 being at \$2.98 million. Caltrans will probably exceed the limit because they are still helping the City of Grass Valley process the transfer of the project. Commissioner Beason asked if there was funding available to cover this. Mr. Bajwa replied that what would happen is the funds would come out of future county shares of the Regional Improvement Plan (RIP). Because Caltrans is the lead agency, they can tap into the future share with NCTC’s approval. Commissioner Beason asked how much money he estimated would be needed. Mr. Bajwa said it depends on when the City of Grass Valley gets the consultant onboard, but he thought it would not exceed \$300,000. Commissioner Beason asked what impact this would have on other projects if it comes out of future programming. Executive Director Landon replied it would be a negligible effect if any, given the amount Mr. Bajwa is talking about. The next state funding cycle is just starting, so if Nevada County received \$2 million it would be \$300,000 less than that amount. Mr. Bajwa said he understood that NCTC has \$5.2 million in reserve so Caltrans would tap into that. Commissioner Beason said that NCTC is behind the Dorsey Drive Interchange project, but he does not want to see every dollar available going to this one project. Mr. Bajwa said that should not happen. Caltrans’ plan is to finish the R/W acquisition and utility relocation, and if money remains in the R/W component, then they could transfer it over to PS&E (Plans, Specifications, and Estimates) expenses. Commissioner Harris agreed that NCTC needs to stay on top of this issue if reserve funds are allocated.

- *SR 49 Five Lane Widening at the La Barr Meadows Road Intersection* – Mr. Bajwa reported that the contractor has installed signs and temporary lighting and they are doing clearing work on the stumps. The next work will be to move dirt and do drainage work.

Chairman Jostes said the project seems to be moving slower than anticipated. It was stated that the intersection and traffic lights would be installed this year. Mr. Bajwa said it is hoped the lights will be installed this construction season, but they could be delayed until next season. He believes the project is on schedule. The contractor has a given set of working days to complete the project in two construction seasons, and if he delays the project there are delay costs he will have to pay. Mr. Bajwa said the contractor has done big projects for Caltrans in the past and they have a good record of completing projects on time.

- *SR 89 Pedestrian Undercrossing at the Mousehole* – Mr. Bajwa reported the environmental clearance of the pedestrian tunnel is complete and the project has gone into the design phase. The Town is now the lead agency and a Cooperative Agreement has been signed. Their consultant, HDR, Inc., is doing the 30% preliminary design and the Town is finalizing the scope of work so they can hire a consultant to finish the final design. Mr. Bajwa asked if the Commission would like him to keep the project in his Caltrans Project Status Report since it is now a Town project and most of the funds are local. He will ask Dan Wilkins, Truckee Town Engineer and Director of the Public Works Department, if he would want to give update reports. Mr. Bajwa said the Town would like to use some of the Project Approval and Environmental Documentation savings for PS&E design work. It has to go through the formal allocation process through the CTC. Mr. Bajwa is working with the Town of Truckee and NCTC staff to see if the Commission would like to put STIP funds back into the project.

Executive Director Landon noted that the original allocation from the RIP funds through the state was about \$400,000 and he asked Mr. Bajwa if there was about \$20-30,000 remaining. Mr. Bajwa replied that there was about \$498,000 originally and about \$20-30,000 remaining. He said Caltrans is finalizing the invoices to be paid from those funds and will make sure every bill has been paid before the remaining funds are moved to PS&E.

Chairman Jostes noted that this project is in the Regional Transportation Plan so he thought the Commission would want to stay informed of the project's activities.

- *SR 20 Safety Project Between Penn Valley Road and Deadman's Flat Overcrossing* – Mr. Bajwa said this is a safety project and SHOPP (State Highway Operations and Protection Program) funds were allocated on March 24th. Bids were opened on March 26th and the contract was awarded to Knife River Construction of Chico on May 25th in the amount of \$1.1 million. Construction is scheduled to start in August and the project is expected to be completed by November 2011. Work includes rumble strips and pavement delineation to correct slippage from wet pavement.
- *SR 49 Minor A Operational Project* – Mr. Bajwa reported that the areas of improvement are at Carriage Road, Ladybird Drive, Smith Road, Cherry Lane, and Brewer Road. The plan is to work on one or two locations next year. The projects are programmed in the SHOPP Program in FY 2012/13.

ACTION ITEMS

10. Public Hearing: 2010 Regional Transportation Plan/Supplemental Environmental Impact Report

Michael Woodman, NCTC Transportation Planner, reported that staff prepared the 2010 Nevada County Regional Transportation Plan (RTP). He said the initial draft of the RTP was presented at a public meeting of the NCTC on November 17, 2010 and was made available for public review between November 24th and December 29th. At the conclusion of that public comment period, minor revisions were made to the report to reflect changes that occurred in funding approved for the Dorsey Drive Interchange. The revised Draft RTP was then recirculated for an additional 45 day comment period between May 17th and June 30th in conjunction with the Supplemental Environmental Impact Report (SEIR). Mr. Woodman said all of the comments that were received on the Draft RTP have been incorporated into the final report as appropriate.

Mr. Woodman reported that NCTC contracted with De Novo Planning Group to prepare the SEIR for the RTP in compliance with the California Environmental Quality Act. He stated that Steve McMurtry, the principal with De Novo Planning Group, was at the meeting to answer any questions that may come up. The SEIR focused on the potential impacts to air quality with particular attention to greenhouse gas emissions and also focused on transportation circulation. The SEIR did identify potentially significant or significant unavoidable environmental impacts as was noted in the Findings for the Nevada County 2010 RTP that was distributed to the Commission. Mr. Woodman said the potentially significant and unavoidable environmental impacts in the findings were considered to be acceptable in light of the economic, fiscal, social, environmental, and other considerations because the benefits of the project outweigh the adverse impacts. During the 45 day review period for the SEIR, comments were received from the California Regional Water Quality Board and the City of Grass Valley Engineering Department. Mr. Woodman said their comments were responded to in the Final SEIR.

Chairman Jostes asked for public comments in relation to the Public Hearing scheduled for these reports. There were no comments received from the public.

Chairman Jostes asked if NCTC staff had any items of significant contention that the Commission should note. Mr. Woodman replied that some of the significant unavoidable impacts were in relation to potential greenhouse gas emissions that were in relation to projected growth. He said the Commission does not have land use authority. The proposed mitigations for greenhouse gas impacts are voluntary planning efforts that NCTC could pursue or assist the jurisdictions in implementing such measures. He did not feel there was anything controversial in adopting the SEIR.

Commissioner Harris referred staff to pages 112 and 117 that are the projections for emissions of the areas with transportation sources. She said the six categories of the off-highway vehicles are growing in emission values and all the other vehicles are projected to go down. She asked what that was based on. Mr. Woodman stated that in terms of the RTP, the air quality analysis in relation to the SEIR only focuses on the on-system that the plan would impact, but he was not sure why the increases would be shown in the off-road vehicles. Commissioner Harris did not think it would merit pursuing the answer, but it surprised her. Commissioner Beason asked if more vehicles were anticipated. Mr. Woodman replied that more vehicles were anticipated as well as vehicle miles traveled, but the improvements in the RTP would help to facilitate the flow and movement of traffic and also relieve congestion and thereby reduce the related emissions. Commissioner Beason said he thought the individual projects associated with the transportation improvements would need to justify and make their case **environmentally individually** in terms of greenhouse gases. Mr.

Woodman said the SEIR for the RTP is at the program level and further project implementation of individual projects in the RTP would have to undergo a project-specific EIR process.

Commissioner Dee stated that she discussed with Mr. Woodman prior to the NCTC meeting that she would like to see the name "Capitol Corridor" taken out of the Rail Transportation Section. She said that due to their physical equipment restraints, the Capital Corridor does not have the capacity or the ability to expand out of their chartered region probably for another twenty or thirty years. She had extensive conversations with Gene Skoropowski (previous Managing Director for the Capitol Corridor JPA) prior to his leaving and he said before they can fulfill their charter, which they are currently doing with the original number of trains and eleven times the passenger load, they would not be able to expand. Commissioner Dee went on to explain that Amtrak can expand so she would like the RTP to either use the term "rail capacity" or identify Amtrak as a possible means, but not include the Capitol Corridor in the report since she does not think the expansion will happen in the near future. She would also like to see the Joint Powers reconvened and wondered if there would be any way that the NCTC could request that action. She would like to see the Commission work with the greater Bay Area and within the mega-region to talk rail transit potentially with Amtrak and those involved. She wondered if there was any way to get the Commission back involved with the Joint Powers, and she would like to see the dialogue reopened to increase rail travel and get cars off the I-80 corridor. Mr. Woodman replied that staff could pursue to reinitiate the dialogue and he would make the changes as suggested in the rail section of the Final RTP. Commissioner Dee said she knew that when the Western Director of Amtrak left the Bay Area the plan was to replace him, but she does not know if he has been replaced as yet. She also understood that the Union Pacific Railroad was running the Donner Corridor out of Los Angeles, which she thought was a huge concern since they do not understand Northern California's problems. She would like to see a dialogue opened with people that could help Northern California.

Commissioner Dee made a motion to adopt Resolution 11-31, with the changes as proposed for rail; to certify the Final Supplemental Environmental Impact Report and adopt the Statement of Findings, Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program; and adopt the 2010 Nevada County Regional Transportation Plan. Commissioner Harris seconded the motion. The motion passed unanimously.

11. Adjustment to the 2010/11 FY Congestion Mitigation Air Quality (CMAQ) Program

Mr. Woodman said that staff received a letter from the City of Nevada City requesting FY 2010/11 CMAQ funding that was previously approved for the construction of the East Broad Street Sidewalk Project in the amount of \$124,000 be reallocated to the FY 2010/11 Ridge Road/Zion Street Sidewalk Construction Project that also had been previously approved by the Commission. He said this action would bring the total amount of CMAQ funds approved for the Ridge Road/Zion Street Sidewalk Construction Project to \$288,000. Mr. Woodman said the issue at hand was that Nevada City staff ran into an environmental issue on the East Broad Street project and some historical surveys are needed that will delay them on completing their preliminary engineering portion of the project and they would not be able to obligate the construction funding in time. Nevada City proposed to move the funding for construction of the East Broad Street Sidewalk to the Ridge Road/Zion Street project and expand the scope of the sidewalk on Gold Flat Road from Zion Street to Searls Avenue. Nevada City staff said that can be done easily since the environmental document for right-of-way of the project has already been cleared. NCTC staff requested the Commission approve Nevada City's request to reallocate the FY 2010/11 CMAQ funding as programmed to the Ridge Road/Zion Street sidewalk project.

Commissioner Beason made a motion to approve project modifications for the FY 2010/11 CMAQ funding to reallocate \$124,000 to the Ridge Road/Zion Street Sidewalk construction project. Commissioner Scofield seconded the motion. The motion passed unanimously.

12. Professional Services Agreement for General Counsel Services with Miller & Owen, A Professional Corporation

Executive Director Landon noted the Commission entered into an agreement one year prior with Miller & Owen, then Miller, Owen & Trost, and they have given very good service. There has been a very quick turn-around of documents; in particular when there was a discussion to do a Cooperative Agreement with the City of Grass Valley regarding the RDA (Redevelopment Agency) funds, Nancy Miller worked into the night to have that ready for staff to present at a Commission meeting the following day. Mr. Landon said that staff has been very pleased with their work and requested a one-year extension on their contract, which is approved one year at a time up to five years.

Commissioner Beason said he understood there was no increase in fees or rates. Executive Director Landon replied that was correct.

Commissioner Scofield made a motion to approve a one-year extension and authorize the Chairman to sign a renewed Professional Services Agreement for General Counsel Services with Miller & Owen commencing August 30, 2011 through August 29, 2012. Commissioner Beason seconded the motion. The motion passed unanimously.

Chairman Jostes asked for a motion to adjourn. Commissioner Beason made a motion to adjourn the Nevada County Transportation Commission. Commissioner Harris seconded the motion.

At 10:22 a.m. Chairman Jostes adjourned the Nevada County Transportation Commission and convened the Nevada County Airport Land Use Commission.

13. Draft Nevada County Airport Land Use Compatibility Plan

Executive Director Landon introduced Maranda Thompson, Senior Planner, and Ken Brody, Senior Project Planner, from Mead & Hunt, Inc. Mr. Landon noted when NCTC took over the responsibility as the Airport Land Use Commission, it was identified that the *Nevada County Airport Land Use Compatibility Plan (ALUCP)* was out-of-date, so the Commission directed staff to move forward and update the plan.

Maranda Thompson started by giving background information on ALUCP planning. The plan has two functions: 1) Insure orderly expansion of airports; and 2) minimize the public's exposure to excessive noise and safety hazards. Ms. Thompson said this is accomplished by establishing a set of criteria that determine what types of land uses are compatible or incompatible within the environs of the airport. The criteria only apply to future development or redevelopment; it does not apply to existing land uses, whether they would be compatible with the plan or not. The plan is prepared based on guidance from the state as noted in the 2002 California Airport Land Use Planning Handbook. Airport Land Use Commissions (ALUCs) use that handbook guidance to prepare Compatibility Plans and determine what types of uses would be appropriate within the vicinity of the airport. Ms. Thompson explained that Compatibility Plans are also closely related to Airport Master Plans; in fact, Compatibility Plans must be based on an adopted Airport Master Plan and both documents are required to have a planning horizon of at least twenty years. Ms. Thompson said the

emphasis of the Compatibility Plan is on land uses that surround the airport, whereas the Master Plan focuses on development of the airport to meet the specific needs of future aircraft activity at the facility.

Ms. Thompson explained that ALUCs are authorized by state law and exist in most counties. NCTC functions as the ALUC for the Nevada County Airport. The two duties the ALUC have are to prepare and adopt Airport Land Use Compatibility Plans, as well as to review certain local planning and airport actions for consistency with the Compatibility Plan. The ALUC actions are independent from the local agencies, which mean the Commission can adopt a Compatibility Plan without approval from the affected agencies such as the county or the cities in the vicinity of the airport. An ALUC is not like a Planning Commission, which is an advisory to the elected body. She said that once the Commission adopts the ALUCP, it triggers a requirement for the local agencies to either make their General Plans consistent with the Compatibility Plan or take special steps to overrule the Commission. Implementation of the Compatibility Plan is handled at the local level through the General Plan and zoning ordinances. The only types of projects that would come forward to the ALUC would include a General Plan, specific plans, zoning ordinances, and building regulations that would affect properties within the established airport influence area boundary. Those types of projects have to come to the ALUC every time; it is a mandatory requirement. Until a local agency achieves General Plan consistency, certain major discretionary actions would come forward to the ALUC for review to determine if it is consistent with the Compatibility Plan. Once the jurisdiction amends their General Plan and it is consistent with the Compatibility Plan, then those projects may be voluntarily submitted for the ALUCs review to get comments like any other agency would do on a project.

Ms. Thompson stated that the current ALUCP is outdated. It was prepared in 1987, is based on a Master Plan that was done in 1981, and it also reflects outdated state guidance. She said the current planning effort utilizes the 1992 Airport Master Plan and a 2009 Airport Layout Plan drawing that shows the facility improvements. She noted that the drawing was submitted to Caltrans Division of Aeronautics as the basis of the Compatibility Plan and their approval was given in April 2011. The criteria and policies also reflect the guidance in the 2002 Handbook. She said that Caltrans is in the process of updating the handbook and it should be released sometime in 2011. Mead & Hunt staff are on the project team doing the update of the handbook so the policies in the *Nevada County ALUCP* are consistent with both the 2002 and 2011 iterations of the handbook. Ms. Thompson said in preparing the plan they also established a Technical Advisory Committee made up of representatives from the City of Nevada City, City of Grass Valley, and Nevada County's Planning Department, as well as Greg Marshall who is Manager of the Nevada County Airport. She said with their input the consultant was able to address a lot of potential concerns in the community, the airport, and making sure that the compatibility policies, zones, and criteria would address the needs of the airport, and insure that land uses remain compatible within the vicinity of the facility and still be in line with the guidance from the state.

Ms. Thompson said since NCTC staff also serve as ALUC staff for the Truckee Tahoe Airport, Mead & Hunt formatted the Nevada County plan to be similar to the *Truckee Tahoe ALUCP* that was prepared in 2004, but the current plan is tailored for the Nevada County Airport and the policies reflect more current guidance from the state. The plan is divided into three chapters and a set of appendices. The first chapter provides background information on ALUCP planning in California; Chapter 2 is the most important part of the plan that contains all the policies; and Chapter 3 has the background information on land uses in the airport influence area. Ms. Thompson stated there is a separate document that is the CEQA Initial Study and Negative Declaration that Mead & Hunt prepared.

The two types of policies that are mentioned include procedural policies, which define the actions that must be reviewed and what the possible outcomes may be. The second set of policies address the four primary concerns: noise – reflected with the airport noise contours; overflight – deals with annoyance from aircraft flying overhead; safety – deals with consequences of an aircraft accident should it occur; and air space protection – trying to avoid uses that would pose a hazard to aircraft in flight (a visual or a physical hazard if there is an object penetrating the navigable air space).

Ms. Thompson reviewed the geographic draft zones that extend approximately one and one-half miles beyond the ends of the runways. She said the closer you get to the runway, the zones represent areas of high noise impact and high risk. As you move further out to the area shaded in blue, it represents the aircraft traffic pattern. The outer-most zone is Zone E, which is primarily concerned with airspace issues. She said as you move away from the airport, the criteria within each zone is less restrictive. Each zone addresses the four compatibility concerns in the composite manner rather than having a set of noise policies that apply within the noise contours, safety policies for safety zones, etc. All of that information is contained in a set of composite zones and this particular approach makes it simpler for ALUC staff and local agencies to apply the criteria to proposed development.

Ms. Thompson reported that in terms of the CEQA document, they found that the local General Plans are relatively consistent with the criteria that is drafted in the *Nevada County ALUCP*. She said there were two exceptions: 1) A parcel located east of the airport in Zone B that would be restricted from being subdivided and allowing two units, so it would be restricted to only one dwelling unit per the set of draft criteria; 2) the Loma Rica Specific Plan that is located west of the airport and within Zones B1 and C – overall the project is consistent with the Draft ALUCP; there is one small portion off the end of the runway close to Zone A, which is the high risk area, and there are some concerns there. Ms. Thompson said they had been talking with the City of Grass Valley and the developer and they are aware of it. She said they adjusted the zones and criteria as much as possible to address their specific needs, but at this point the one area around the lake neighborhood is a potential concern and Mead & Hunt believes it is incompatible with the draft criteria.

Executive Director Landon pointed out that Chapter 2, Sections 2.3.2 and 2.3.3 outlines the role of staff when a major land use action comes forward that impacts the airport. As Executive Director he would have the first responsibility to review it and either make a finding that there were no characteristics that would be inconsistent with the compatibility criteria, or if there were some that potentially would be inconsistent, then that document would be forwarded to the ALUC for their review and consistency determination. He said there are basically three choices: The ALUC could find whether the major land use project was consistent, conditionally consistent, or if it was inconsistent.

Greg Marshall, Manager of the Nevada County Airport, came forward to speak. He thanked Executive Director Landon and his staff for the work on the update of the *Nevada County ALUCP*. He also thanked Miranda Thompson and Ken Brody for an exceptionally professional document. Mr. Marshall stated that a little over one year ago NCTC staff assumed responsibility for the Nevada County ALUC and he met with them just after that time. The *Nevada County ALUCP* was grossly out-of-date and Mr. Landon quickly identified some funding, went through a competitive process to identify a consultant to do the update, and Mead & Hunt, Inc. with NCTC staff and a committee, have been working on the document for nine months. He thinks the document will serve the airport and community well since it represents the most current Division of Aeronautics guidelines, and the

new guidelines that will be coming out shortly. Mr. Marshall highly recommended that the ALUC adopt the *Draft Nevada County Airport Land Use Compatibility Plan*.

Commissioner Beason commented on the membership notation that appeared on page 1-3. It states that two members would be appointed by a selection committee of mayors of the county's cities. He assumed those two members would be from Grass Valley and Nevada City. Ken Brody responded that there are two different forums that ALUCs can take: one is a stand-alone body, which he thought was the section Commissioner Beason was referring to where members are appointed by the county, the mayors of the cities, and the airports; the other format is a designated body, which is the case for NCALUC, where there is an existing entity that takes on the responsibility of the ALUC. Commissioner Beason asked if the consultant was suggesting a change. Mr. Brody and Executive Director Landon both replied negatively.

Miranda Thompson notified the Commission that the public review period was opened July 6th and it will close August 4th. Based on comments received, the next steps for the project are to see what adjustments will be needed to the draft, and the final report will be brought to the Commission at their September 21, 2011 meeting.

Chairman Jostes reviewed that Ms. Thompson stated the plan did not address any existing development around the airport, so any incompatibility of that development with this report is just ignored. Ms. Thompson said that was correct; it would not be addressed. The ALUC jurisdiction does not go into existing development; it only looks at future development and tries to maintain compatible land uses from this point forward. Ken Brody said you need to ignore what already exists on the ground.

Commissioner Beason said he thought the key to the independent clause in the second to last paragraph on page 1-3, "... as noted earlier, the authority and responsibility for implementing the compatibility policies rests with the local governments." Mr. Brody said it is in the General Plans. Commissioner Harris said if she read it correctly, either the jurisdictions can modify a General Plan to make it compatible, or if this is a lengthy, expensive, or undesirable task, then it just means that any project that comes forth that appears to lack compatibility will need to be addressed by the ALUC. She asked if that was correct and Mr. Brody said it was. Commissioner Miller said he thought that was why the consultant is working closely with the City of Grass Valley as far as the Loma Rica Ranch project because there was some incompatibility in the zone around the lake area. He knows that residential has been designated away from high risk fly zones. Mr. Brody said to bear in mind that if the project does come forward and is inconsistent with the updated ALUCP, then the only way that the project could move forward is the local agency would have to take steps to overrule the ALUC. Ultimately, they hope that the next generation of General Plan and Specific Plan updates would be consistent and then very little needs to come forward to the ALUC. Commissioner Harris said she was very sensitive to that because updating the General Plan is very expensive. Mr. Brody said there is a clause in the law that says you are supposed to update the General Plan in 180 days, but it never happens these days.

Chairman Jostes asked for additional comments and there were none. He thanked the consultants for their presentation.

Commissioner Dee made a motion to close the Nevada County Airport Land Use Commission. Commissioner Miller seconded the motion.

At 10:43 a.m. Chairman Jostes adjourned the Nevada County Airport Land Use Commission and reconvened the Nevada County Transportation Commission.

COMMISSION ANNOUNCEMENTS

Commissioner Harris noted that Nevada City completed their Measure S work for the year so there have been streets that have been overlaid with asphalt and some walkways completed. The Safe Routes to School project is currently on-going at Zion Street. Commissioner Beason asked if there had been a Safe Routes to School loan to Nevada City. Executive Director Landon said there was and the funds had been transferred that week.

Executive Director Landon said the previous week Commissioner Beason had asked him about the issue of any additional funds being needed for design work by Caltrans. On Monday when Mr. Landon spoke to Mr. Bajwa, Mr. Bajwa explained that any time Caltrans has a project like the Dorsey Drive Interchange where they have an allocation, Caltrans has an automatic 20% override built into that project so they can utilize that 20% to do work for the City of Grass Valley. Given the right-of-way funding is \$3 million, 20% of that is about \$600,000, and Mr. Bajwa said the project is budgeted at this point to use or identify \$300,000. Commissioner Beason asked if that was separate from the RIP funds. Mr. Landon said it is separate from the \$10.5 million, but it comes from the RIP. Commissioner Miller said as soon as the project is transferred to the City of Grass Valley, city staff will provide update reports to inform NCTC of the progress.

Commissioner Beason asked if the law suit goes forward on the RDA funds, can the City of Grass Valley continue to spend those funds. Commissioner Miller said they have to stop spending or pay the ransom. He said it does not make sense to do away with the RDA. If the law suit is successful, then the city would have to start all over again, so the continuation is what makes more sense for most jurisdictions. Commissioner Miller said the RDA funds on deposit with NCTC are planted; it is not existing projects that have been contracted; it does not start anything new.

SCHEDULE FOR NEXT MEETING

The next regularly scheduled meeting of the Nevada County Transportation Commission is on September 21, 2011 at the Grass Valley City Council Chambers, 125 East Main Street, Grass Valley, CA.

ADJOURNMENT OF MEETING

Commissioner Beason moved to adjourn the meeting. Chairman Jostes adjourned the meeting at 10:47 a.m.

Respectfully submitted: Antoinette Perry
Antoinette Perry, Administrative Assistant

Approved on: _____

By: L. A. Jostes
Lawrence A. Jostes, Chairman
Nevada County Transportation Commission

