

## MINUTES OF THE

## ALUC MEETING

July 19, 2023

The Airport Land Use Commission convened a Meeting on Wednesday, June 19, 2023 at 6:00 p.m. in the Board Room at 940 Main St., El Centro, California.

Staff present: Assistant Director Michael Abraham, Planner II Derek Newland, Planner II Evelia Jimenez, Planner I Gerardo Quero, Planner I Luis Valenzuela, Clerk Laryssa Alvarado, and Clerk Aimee Trujillo.

**Chairman Mike Goodsell** called the meeting into order.

I. **Roll Call:** Commissioners present: Goodsell, Guerrero, Chavez, Logue, Arguelles

II. **Pledge of Allegiance**

III. **Approval of Minutes – May 17, 2023 Minutes**

**Commissioner Logue:** I Motion to approve the minutes for the May 17, 2023 meeting.

**Commissioner Moreno:** I will second.

**Chairman Goodsell:** We have a motion and a second, Roll Call.

Roll Call: Goodsell (yes) Guerrero (yes) Chavez (yes) Logue (yes) Arguelles (yes)

IV. **Appointment of Officers – Michael,** do we want to play musical chairs tonight or what do you want to do there.

**Michael Abraham:** Good evening Mr. Chairman, yes we need to elect officers for this year, I know we've been postponing for a few meetings, but now that we have everyone here we need to either re-elect the recent ones or change the seats around a little bit. Whatever is the flavor of the commission.

**Chairman Goodsell:** Anybody inclined to be the chair? You sat in that chair long enough you gotten comfortable.

**Commissioner Guerrero:** I'm pretty comfortable in my spot.

**Commissioner Arguelles:** I think you're doing a great job.

**Commissioner Logue:** I motion accept the position as I stand.

**Commissioner Arguelles:** I second that.

**Michael Abraham:** So there is a motion for Chairman Goodsell to remain as chairman, and there's a second, can we do Roll Call.

Roll Call: Goodsell (yes) Guerrero (yes) Chavez (yes) Logue (yes) Arguelles (yes)

**Michael Abraham:** Now there's the need for the vice chair.

**Chairman Goodsell:** I think Jenell would be a good candidate to stay right where she is at

**Commissioner Chavez:** I second.

**Michael Abraham:** Is there a motion?

**Chairman Goodsell:** I motion.

**Arguelles:** I second.

Roll Call: Goodsell (yes) Guerrero (yes) Chavez (yes) Logue (yes) Arguelles (yes)

**Michael Abraham:** All right then we have a chairman and a vice chair, Thank You.

**Chairman Goodsell:** Regarding public hearing it's good to see this is kind of a large crowd for us so we hope that we do justice on you're presence here tonight, were going to start with the item with the public hearing to consider compatibility of La Valle Sabbia's request.

## **V. Public Hearings**

**Chairman Goodsell:** Introduces Public Hearings.

1. Public hearing to consider compatibility of La Valle Sabbia's requested Conditional Use Permit for a grain feed mill located within the boundaries of the existing hay press and hay storage facility. The proposed project is within the Imperial County Airport Compatibility Plan B1 Zone (Approach/Departure Zone and Adjacent to Runway). The proposed project site is located at 2015 Silsbee Road, El Centro, CA 92243 on the northwest corner of the intersection of Silsbee Road and West Evan Hewes Hwy. Parcel coordinates 115° 38' 54.8052" W, 32° 47' 53.7864" N; Assessor's Parcel Numbers 062-080-015-000 (Supervisory District #3) (**ALUC 03-23**) [Derek Newland, Planner II, 442-265-1736, extension 1756 or by email at [dereknewland@co.imperial.ca.us](mailto:dereknewland@co.imperial.ca.us)].

**Derek Newland, Planner II:** read the project into the record.

**Chairman Goodsell:** Thank You Mr. Newland, is there anyone present that would like to speak maybe an opposition to the project? How about someone in favor? Is there anybody present that is associated with the project would like to speak in favor of?

**Patrick Bush:** My name is Patrick Bush, I'm the operations officer for La Valle Sabbia, out there we plan on building this feed mill; right now we have a seed company out there, a seed cleaning facility, and a press export company. The seed facility was built back in nineteen-ninety six (1996) and since that time we got a CUP. At that time, I think our tallest elevator there is maybe seventy (70) feet, which is well below the requirements and nothing in this feed mill maybe fifty (50) or sixty (60) feet it will not get as tall as the seed processing plant. But I would like to say I got some bullet points I'd like to bring up, we employed a little over three hundred (300) people and this will add another ten (10) to fifteen (15) people at this facility and another four (4) to five (5) people at our feed yard over at Heber in La Brucherie. I don't know if any of you have been by the facility over there, it used to be the Jackson Yard and it was pretty run down but if you look at it now we're trying to do the best we can to upgrade that facility. There will be an increase in property taxes since you all know by building this mill, it's going to have a small footprint but because we have a gas line coming by there it makes sense for us to build it there, we're going to roll corn so that will allow us to do that. Our power grid will not be affected at all since we have a solar farm out there that helps support our power grid and the feed mill will be operating on down time on the off times from our press. It will be using the same power source that our press uses but the press does work in the day and this will be working in the evening time on the off hours, so really we don't need to upgrade our power source at all. If you want to know about the increase in trucking around there, we figure anywhere from five (5) to seven (7) trucks in the evening. Again, this will be on the off time because all the feeding cattle is two (2) or (3) clock in the morning so we will be milling our corn there and taking it over to La Brucherie in Heber to feed our cattle over there. Right now we don't have a feed mill so were purchasing that from El Toro company which is right next to Heber and they do the milling right there with no problems, so right now they're bringing it over to us until we can build our own. We have two (2) annual permits for inspections to operate out there because of nineteen ninety- four (1994), that is when we started our press operation. In nineteen ninety-six (1996) when we put the seed mill in, we have had two inspections every year since that and we passed every year, it's never been a problem. I thought the navy might be here but if they have a problem with the birds, we mitigate that three (3) times a year and we have an outside company that comes into the nit to remove the birds. There

not going to go to the feed mill anyway, they like the Seed Company better. So what we have is what we have and that's what we've been doing ever since. As far as air pollution goes we have been taking care of that and we passed that every year, whatever they want we take care of out there so I just like to say that is where we are. I'm more than happy to if anybody has anything against this, I like to be able to rebut it. I feel like we're doing what we need to do to the Community and our neighbors and never had any complaints from them. Thank you very much for listening.

**Chairman Goodsell:** Any questions? No? Thank You sir.

**Patrick Bush:** You bet.

**Chairman Goodsell:** Someone that is online there, on the zoom would want to speak about this project. A navy representative, anything you might want to share.

**Dina Ryan:** Hello and good evening everybody my name is Dina Ryan I'm the Community Planning liaison at Naval Air Facility in El Centro. I'll just reiterate what I mentioned in the chat here that the Navy wishes to learn a bit more about how the applicant will prevent an increase in bird populations at the new structure that they're going to construct. We are primarily concerned about bird airstrike hazards given that our airfield is less than one (1) mile from the construction site and I'm sure you're all very aware we have jets flying year-round. I also want to acknowledge that we know that they are active facilities that the applicant's location that work fine, we have not had a bad incident. I think what the Navy would like to do at this point is learn a little bit more before the construction begins and see if we can address any mitigation measures if needed. I'm not sure what those might be at this time so we are interested in exploring it more with County and the applicant, that's all I have for now thank you very much.

**Chairman Goodsell:** Thank You Dina. Well as the process moves forward maybe she can get some questions answered. He indicated they have some mitigation measures but as far as our considerations here whether it meets our plan or not I don't think it's going to impact that.

**Michael Abraham:** That is correct. This is a conditional use permit so it still needs to go through EEC Environmental Evaluation Committee and also it needs to go to Planning Commission where we can work out some of the details if needed for right here for today just a question of compatibility.

**Chairman Goodsell:** Is there any direction you like to take on this?

**Commissioner Logue:** I motion we find this compatible with the nineteen ninety-six (1996) Airport Land Use Compatibility Plan.

**Chairman Goodsell:** We have a motion. Can we get a second?

**Commissioner Guerrero:** I'll second

**Chairman Goodsell:** Second from Jenell, Roll Call.

Roll Call: Goodsell (yes) Guerrero (yes) Chavez (yes) Logue (yes) Arguelles (yes)

**Chairman Goodsell:** Our next item, this is a hearing to consider to purpose CitySwitch Project for consistency which our plan this project is identified variance about the height here, Luis are you going to discussed this for us?

2. Public hearing to consider the proposed Cityswitch project for consistency with the Imperial County Airport Land Use Compatibility Plan. The project is identified as Conditional Use Permit #23-0009 for a 155'-foot monopole tower with a 10'-0" lightning rod for a total height of 165'-0" and Variance #23-0003 to exceed the height limitation in an area zoned Recreation/Open Space (S-2) by 65 ft. The project site is located at 5359 E Hwy 78, Brawley, CA, on property identified as Assessor Parcel Number 039-310-019-000, and is further described as POR SBE 872-13-6A-5 & -7-1 OF TR 37 & SEC 34 13-18 39.34AC., Latitude 32° 59' 53.2068"N – Longitude 115° 4' 17.595"W. **(ALUC 04-23)** [Luis Valenzuela, Planner I (442) 265-1736, extension 1749 or by email at [luisvalenzuela@co.imperial.ca.us](mailto:luisvalenzuela@co.imperial.ca.us)

**Luis Valenzuela, Planner I:** Read the project into record.

**Chairman Goodsell:** Thank You. Is there anyone present that would like to speak in opposition to this project? Anybody that is here in support of it that would like to come forward.

**Ryan Schafer:** Good evening commissioners, my name is Ryan Schafer I am a counsel for CitySwitch as well as Whitney and Michael Beneick LLC telecom who can answer any technical questions the commissioners may have regarding the design of the facility. As indicated, this is a facility that is going through several stages of approval. So today, we are focused prominently on the ALUC's requirements for this one hundred fifty-five (155) foot monopole tower with a ten (10) foot lightning broad. As shown in the presentation, this facility is not located within any of the ALUC Compatibility Plan zones for any of the airports is in fact a number of miles away from all those airports. Because this facility is more than one hundred and fifty (150) feet in height it requires a Variance and the commission's approval is required as demonstrated by the documents provided. As well the FAA no hazard letter provided with the application and the fall zone letter certification indicating facility purposes a no fall zone risks. The facility will have no impact on airport noise or aircraft noise; no land use safety concerns being a vacant parcel along the Union Pacific railroad right of way and will not interfere with useful air space or overflights that are certified by the FAA and according that we ask the commissioners.

**Chairman Goodsell:** Thank you sir. Are there any questions that the panel has for our guest?

**Commissioner Guerrero:** I just have one question. Can you confirm the height of the tower because I keep hearing one hundred and sixty- five (165) but the documentation says two hundred and ten (210)?

**Ryan Schafer:** So there are three applications up here today, so this one is for the facility at fifty-three fifty-nine (5359) East highway 78 Brawley, CA that one is one hundred and fifty-five (155) with the ten foot. The third one for tonight is at 1505 E. Keystone that one has the two hundred (200) foot monopole with a ten foot height.

**Commissioner Guerrero:** Thank You.

**Chairman Goodsell:** CitySwitch has three swings equipped tonight

**Ryan Schafer:** I appreciate it, it's very confusing to keep them all apart but I'll make sure to flag those.

**Chairman Goodsell:** Thank You. So what is the pleasure of the commission here? Looking for a motion.

**Commissioner Chavez:** I motion by this compatible 1996 Airport Land Use Plan.

**Commissioner Logue:** I second.

**Chairman Goodsell:** We have a motion and a second. Roll call please.

Roll Call: Goodsell (yes) Guerrero (yes) Chavez (yes) Logue (yes) Arguelles (yes)

**Chairman Goodsell:** Let's hear it from Evelia Jimenez as she discusses the second CitySwitch item.

3. Public hearing to consider the proposed CitySwitch project for consistency with the Imperial County Airport Land Use Compatibility Plan. The project is identified as Conditional Use Permit #23-0010 for a 180-foot wireless communication facility and Variance #23-0004 to exceed the height limitation in an area zoned Open Space/Preservation (S-2) by 80 ft. The project site is located at 637-639 Sidewinder Rd N., Winterhaven, CA, on property identified as Assessor Parcel Number 056-470-002-000, and is further described as Por SBE 872-13-9-3 Of Sec 21 16-21 Latitude 32° 45' 13.8996"N – Longitude 114 ° 45' 36.8454"W. (ALUC 05-23) [Evelia Jimenez, Planner II (442) 265-1736, extension 1747 or by email at [ejimenez@co.imperial.ca.us](mailto:ejimenez@co.imperial.ca.us)

**Evelia Jimenez:** Read the project into record.



**Commissioner Goodsell:** Thank You Mrs. Jimenez

**Commissioner Goodsell:** Well do you want to talk about this one as well it's kind of a little bit redundant, same thing stand a little bit higher than normal.

**Ryan Schafer:** Yes, I don't want to deprive anyone from speaking here.

**Commissioner Goodsell:** Is there anyone concerned about this and would want to rise an opposition to this project?

**Ryan Schafer:** Thank You commissioners. Yes as much as the previous application this another monopole facility located quite a distance away from the airports within the Imperial County. As for the previous application we provided, FAA no hazard letter as well a fall zone certification letter indicating that this proposes no threat and moreover as located again in a vacant parcel adjacent to Union Pacific railroad right of way. Accordingly the facility will have no impact on aircraft noise, will not create any land use safety concerns, and will not interfere with the useful airspace and overflights in Imperial County, we accordingly ask that the commissioners approve.

**Chairman Goodsell:** Any questions for him on this one? We entertain a motion concerning this project.

**Commissioner Arguelles:** I motion to approve the communication facility to be consistent with the nineteen ninety- six (1996) Airport Land Use Compatibility plan.

**Commissioner Guerrero:** Second.

**Chairman Goodsell:** We have a second. Roll call.

Roll Call: Goodsell (yes) Guerrero (yes) Chavez (yes) Logue (yes) Arguelles (yes)

**Chairman Goodsell:** Item four (4) this again is a CitySwitch project.

4. Public hearing to consider the proposed CitySwitch project for consistency with the Imperial County Airport Land Use Compatibility Plan. The project is identified as Conditional Use Permit #23-0011 for a 210-foot wireless communication facility and Variance #23-0006 to exceed the height limitation in an area zoned General Agriculture (A-2) by 90 ft. The project site is located at 1505 East Keystone Road, Brawley, CA, on property identified as Assessor Parcel Number 041-200-008-000, and is further described as a Portion of the State Board of Equalization (SBE) #872-13-34-2 of Tract 90 & 91 14-15, Township 14 South, Range 15 East, S.B.B.M., Latitude 32° 58' 43.1112"N – Longitude 115° 32' 21.9444"W. **(ALUC 06-23)** [Gerardo A. Quero, Planner I (442) 265-1736, extension 1748 or by email at [gerardoquero@co.imperial.ca.us](mailto:gerardoquero@co.imperial.ca.us)

**Gerardo Quero, Planner I:** Read the project into record.

**Ryan Schafer:** Thank you commissioners. For the third time thank you for consideration of this application. I do wish to clarify as noted in the presentation I previously miss spoke that this facility is not technically a monopole, it is a self-supported lattice facility but of course in the same general dimension and of course the height previously noted because it exceeds two hundred (200) feet to the extent that FAA regulations required to be lit. We will certainly comply with those as before provided with FAA no hazard letter and a fall zone certification letter indicating that again this facility located in a vacant lot along a Union Pacific railroad right of way does not propose any safety concerns or threat to air craft or air flights and accordingly ask the commission to approve.

**Chairman Goodsell:** Questions? No. Ok we will need another motion.

**Commissioner Guerrero:** I motion that we find this project consistent with the nineteen ninety-six (1996) Airport Land Use Compatibility Plan.

**Commissioner Arguelles:** I second

Roll Call: Goodsell (yes) Guerrero (yes) Chavez (yes) Logue (yes) Arguelles (yes)

**Chairman Goodsell:** Item six (6) non-action items. I would just like to add something, we talked about this before, updating our Compatibility Plan nineteen ninety-six (1996) twenty two-three (2023).

**Michael Abraham:** We did put our request for funding to update the plan in our budget. We're going through the budget cycle right now, there's a number of budget augment that needs to take place so that should be taking place in August but we always put it the budget.

**Chairman Goodsell:** Should we make it a standing item on our agenda? Going forward because we're going to get to where this is a pretty old plan.

**Michael Abraham:** Yes, we can do that.

**Chairman Goodsell:** Alright then, is that satisfying folks?

**Commissioner Arguelles:** Is there a possibility the FAA would give a grant to you guys to fund this.

**Chairman Goodsell:** We can look at other funding like Scag might help us out. There are a few options.

**Michael Abraham:** There is the opportunity for multiple funding opportunities to update the Airport Land Use Compatibility Plan. We can go with the Imperial County transportation commission, Caltrans, Scag, all of those do offer funding, we just need to get together as a community and when I say community is because there're multiple communities involved to sponsor an application for funding. Right now the County is putting it in the budget but right now we're not going to have enough money to fund the entire project, nor should we because there's multiple jurisdictions that are involved so we need to speak to someone.

**Chairman Goodsell:** We got to start taking some steps.

**Commissioner Logue:** How do we mobilize that? Who mobilizes that?

**Michael Abraham:** So it really should be at the County Executive Office and the City managers that should get together and try to work out a way to sponsor an application or fund the plan itself. That is really where it should start.

**Chairman Goodsell:** Well maybe ICTC is a good place to start because the city managers regularly meet as a group and I'm seeing David Agury tomorrow for another item. I'll put a bug in his ear.

**Michael Abraham:** Organizations that would sponsor something that covers multiple jurisdictions would be perfect to sponsor some sort of grant application.

**Chairman Goodsell:** Alright anything else? We'll be adjourned until we see each other again.

**Meeting Adjourned.**

  
Jim Minnick, Secretary  
Airport Land Use Commission