



## Legislation Details (With Text)

**File #:** 23-1190      **Version:** 1

**Type:** Report      **Status:** Agenda Ready

**File created:** 4/19/2023      **In control:** REGULAR CITY COUNCIL AND HOUSING AUTHORITY\*

**On agenda:** 5/2/2023      **Final action:**

**Title:** CONSIDERATION OF MODEL FLYING ACTIVITY AT FAIRVIEW PARK

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Report, 2. 1. US Fish & Wildlife Service Correspondence, 3. 2. Biological Sensitivity Map - Fairview Park Master Plan (1998), 4. 3. California Dept. of Fish & Wildlife Correspondence, 5. 4. Excerpt of 4-12-23 Unofficial Fairview Park Steering Committee Minutes, 6. 5. Excerpts from Fairview Park Master Plan - References to Model Aircraft

Date	Ver.	Action By	Action	Result
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### TITLE:

### CONSIDERATION OF MODEL FLYING ACTIVITY AT FAIRVIEW PARK

**DEPARTMENT:** PARKS & COMMUNITY SERVICES

**PRESENTED BY:** JASON MINTER  
PARKS AND COMMUNITY SERVICES DIRECTOR

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### RECOMMENDATION:

Staff recommends that an environmental compatibility and biological resource assessment be completed by MIG Consulting LLC, as envisioned by the Fairview Park Master Plan Update, including the existing flying field location and/or other potential locations at Fairview Park, and that the temporary suspension of flying field activity be continued until such assessment is completed, due to current biological activity at the site.

### BACKGROUND:

Since 2019, the City Council, staff, the Fairview Park Steering Committee (FVPSC), and the public have engaged in an extensive effort to evaluate the operation of model aircraft activities at Fairview Park. This review included over twenty dedicated public meeting discussions throughout a combination of City Council meetings, PACS Commission meetings, Fairview Park Steering Committee meetings, and a series of dedicated outreach meetings to specifically consider issues and concerns related to model aircraft operations at the park.

In September 2021, the model aircraft activity was brought before City Council to consider potential

alternatives for the activity. The result of this discussion included City Council direction to evaluate the flying activity during the Master Plan update, consider other sites, and permit only gliders going forward. In addition, the City Council direction discussed the need to update the applicable flying policies and documents, prevent impacts to protected habitats and resources, provide mitigation measures for the protected areas, and account for environmental concerns during the policy update process.

On March 21, 2023, staff brought this item back to the City Council for further consideration due to additional concerns related to environmental compatibility issues and continued requests from the Harbor Soaring Society to reinstate its flying field operations with gliders only. At the March 21, 2023, public meeting, the City Council voted to continue the discussion to a future City Council meeting to provide more time to consider all options.

Given the complexity of the issues under consideration, staff recommends a formal environmental assessment be conducted by MIG Consultants, LLC, and any other experts, as needed, as part of the Fairview Park Master Plan, to identify all viable options for preserving protected habitats and species while resuming flying field operations, if possible.

### **ANALYSIS:**

The Harbor Soaring Society has been flying at Fairview Park for more than 5 decades, and for over 20 years at the current flying field location. This recreational activity has been a favorite for some park users, including those that just like to watch the planes fly. Over the years the nature of the flying activity has changed, evolving from gliders over the bluffs to the graded flying field that exists today. These changes, along with the identification of protected species, including both flora and fauna, have forced the compatibility conversation in terms of whether or not the activity of flying is compatible with the sensitive habitat in which the field occupies.

Another major change that took place was the closure of the flying field due to the COVID-19 pandemic. As the flying field was closed, along with all City parks for health and safety reasons, it provided an unexpected opportunity for natural habitat to return to the area. As recently as March 2023, there have been sightings of the Burrowing Owl, a federally listed endangered species at multiple sites throughout the park. While Burrowing Owls have been seen at Fairview Park over the years, their presence was mostly limited to the east side of the park and not close to or adjacent to the existing flying field. This is one example of a change in the habitat that has occurred since the U.S. Department of Fish and Wildlife made recommendations in 2019 regarding modifications to flying field operations that could be made to help preserve sensitive habitats at the time. With the return of the Burrowing Owl and other plants and species to areas west of Placentia Ave. during the pandemic, it is unclear whether those earlier recommendations would still suffice.

Since late 2021, staff has worked with the Harbor Soaring Society (HSS), community interest groups, stakeholders, and the Fairview Park Steering Committee (FVPSC) in an effort to fulfill the direction to evaluate flying activity as part of the Master Plan update, consider other sites, and account for modifications to the model flying documents and policies to allow only gliders. In January 2023, the Professional Services Agreement was awarded to the selected consultant (MIG) to lead the Master Plan update.

The Master Plan update will include a comprehensive analysis of Fairview Park featuring the

following components:

- Historical summary/review of existing documentation
- Community outreach
- Resource assessment and analysis of existing conditions
- Environmental compliance

Staff are now two months into the Master Plan update process that started in February with a kick off meeting. MIG has a team of biologists, ecologists, archaeologists, regulatory specialists, and engineers, that will be performing intensive studies of Fairview Park, including a CEQA analysis that is required for completion of the Master Plan Update.

Included in this report are recommendations from regulatory agencies as to the compatibility of model aircraft flying and the sensitive habitat at Fairview Park. Specifically of note, the U.S. Fish and Wildlife Service in 2019 provided guidance to City staff that model aircraft activities (including gliders) should avoid flying over and landing in sensitive resource areas (Attachment 1). Importantly, nearly all of the Fairview Park mesa west of Placentia Ave. has been designated as biologically sensitive since the Master Plan was adopted (FVPMP 1998; Attachment 2), which highlights the asserted incompatibility with the previous HSS flight operational area that overlaps the mesa, bluffs, vernal pools, coastal sage scrub, and other biologically sensitive areas. The California Department of Fish and Wildlife has also expressed support for full flying field closure in March 2023, due to the breadth of significant biological resources which are adversely impacted by model aircraft activity (Attachment 3).

Should the Council support the staff recommendation for an environmental compatibility and biological resource assessment to be completed by MIG, including the existing flying field location and/or other potential locations at Fairview Park, and that the temporary suspension of flying field activity be continued until such assessment is completed due to current biological activity at the site, Staff will continue coordinating with HSS to evaluate potential mitigation measures or alternative options for glider flying activity at other sites. In addition, staff will continue to explore further collaboration with HSS on reserving City facilities to host youth STEM activities related to aviation, to promote cross-branding between Fairview Park STEM activities and Harbor Soaring Society's aviation and STEM activities, and to collaborate with other flying fields to find partnership opportunities for Costa Mesa residents.

### **Fairview Park Steering Committee Recommendation**

On April 13, 2023, at their regularly scheduled meeting, the Fairview Park Steering Committee developed a recommendation for the City Council, which summarized their concerns regarding model aircraft activity at Fairview Park. The following recommendation was approved by the Committee:

“Fairview Park is a unique and valuable natural resource. Based on the three-year history of evaluation and decisions made by staff and this committee, this committee supports the staff recommendation to City Council on March 21, 2023 that “recommends that City Council permanently close the Fairview Park model aircraft flying field and terminate the model aircraft individual flyer permit system due to outstanding environmental constraints, safety issues, and infeasibility with required resource protection measures at the site.” The Fairview Park Steering Committee is in

support of restoration goals and opportunities for science and education.”

The Committee approved the recommendation 6-1, with the action included in the unofficial excerpt of minutes from the meeting (Attachment 4).

### **ALTERNATIVES:**

The City Council could choose to reinstate the flying field to gliders in the current location west of Placentia Avenue. This option is not recommended by staff due to the aforementioned concerns related to biologically sensitive habitats, and endangered species impacts. If the flying field were to be reopened in the existing location, operations would need to be limited to specific flying dates, with biological monitoring and other measures in place to mitigate impacts to the environment. Resumption of flying activities on the west side would also be contingent upon having City issued flying permits for all operators. Staff recommends that the permit be issued to the Harbor Soaring Society as the umbrella organization for fly field activity, much like the permit issued to the Orange County Model Engineers (OCME) for train related activities at the park.

### **FISCAL REVIEW:**

The fiscal impacts of these actions will vary based on the direction given by City Council. Nesting surveys typically cost \$700 to \$2,000 based on the scope of the survey. Park Rangers are currently scheduled for weekend patrols, however any dedicated assignments would alter coverage at other parks.

### **LEGAL REVIEW:**

The City Attorney’s Office has reviewed this report and approves it as to form.

### **CITY COUNCIL GOALS AND PRIORITIES:**

This item supports the following City Council Goals:

- Strengthen the Public’s Safety and Improve the Quality of Life
- Advance Environmental Sustainability and Climate Resiliency

### **CONCLUSION:**

Due to the current biological conditions at the existing flying field location, staff recommends that a formal environmental compatibility and biological resource update assessment be completed in order to determine the compatibility of any flying activity at the existing or other potential locations at Fairview Park. This analysis would determine what the appropriate measures would be to allow proper protection of the natural resources should flying resume.

Therefore, staff recommends that an environmental compatibility and biological resource assessment be completed by MIG Consulting LLC, as envisioned by the Fairview Park Master Plan Update, of the existing flying field location West of Placentia Ave, and/or other potential locations at Fairview Park, and that the temporary suspension of flying field activity be continued until such assessment is completed, due to current biological activity at the site.