



City of Ontario

Office of the Mayor

Riley J. Hill, Mayor

444 SW 4th Street

Ontario, OR 97914

Voice (541)212-2310

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ontariooregonmayor@gmail.com

July 26, 2021

Joseph Dalke
Ben Mello
Mandi Lesauris
Federal Aviation Administration
Northwest Mountain Region
2200 S. 216th Street
Des Moines, WA 98198

Greetings:

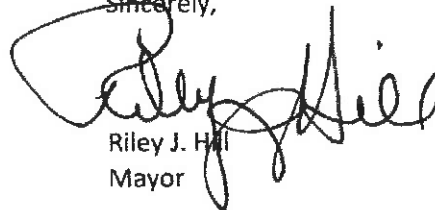
Thank you for your response on the golf storage use of buildings at the airport. We as a Council are aware of the airport manager's thoughts on using the storages for temporary housing for the homeless.

Mr. Hartley does not set city policy. It is ironic that motorsport races are being proposed by Mr. Hartley, which draws large crowds. We as a Council have never found any area of town favoring temporary housing for the homeless.

I am sure there may have to be some considerations given, but every community has to deal with its own issues. I have taken the Fire Chief to the storages and he thinks we could, with modifications, use the small storages for temporary homeless shelter.

I am asking for your help in trying to solve a community problem.

Sincerely,



Riley J. Hill
Mayor

Ontario Airport Spaces

3 messages

Riley Hill <ontariooregonmayor@gmail.com>

Mon, Jul 26, 2021 at 1:18 PM

To: joseph.dalke@faa.gov, mandi.lesauis@faa.gov, Benjamin.J.Mello@faa.gov

Please see the attached.

 **FAA Letter 07262021.pdf**
208K**Dalke, Joseph (FAA)** <joseph.dalke@faa.gov>

Tue, Jul 27, 2021 at 4:28 PM

To: Riley Hill <ontariooregonmayor@gmail.com>

Cc: Erik Hartley <Erik.Hartley@ontariooregon.org>, "Lesauis, Mandi (FAA)" <Mandi.Lesauis@faa.gov>

Good Afternoon Riley,

My intention with pulling Erik in to this request was driven by his familiarity with what the FAA would be looking for with the requested exhibit. I have not had any discussions with him concerning this particular proposal, nor the other referenced in your letter.

Regardless, we will need an exhibit clearly showing the location of these buildings on the airport, showing what type of property they are located on, and how that property was acquired. This must show whether it was acquired with federal funding, and if so, what type. Without this information, we cannot begin to examine this potential proposal. Please provide this exhibit.

As you may be aware, the airport is federally obligated. With that comes assurances tied to the federal grants which it has received. Additionally, there may be obligations tied to the land itself if it was federally funded. Any proposal to utilize airport property has to be reviewed by the FAA with regard to these assurances and obligations, as well as from a planning and environmental perspective.

With regard to this general type of request, and more specifically how it relates to the grant assurances - The current Federal Aviation Administration (FAA) Airport Grant Assurances, Grant Assurance 21, *Compatible Land Use* (title 49 United States Code (U.S.C.), section 47107 (a)(10)), requires grant recipients to "take appropriate action...to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations." Additionally, title 49 U.S.C., section 47141(b)(1), requires that a grant recipient must have authority to plan and adopt land use control measures. Generally, residential use on or near airport property is incompatible with airport operations due to the impact of aircraft noise, and, in some cases, for reasons of safety.

Hopefully this is helpful in understanding what we would need to review this proposal and how it would potentially be viewed.

Ontario Oregon Airport

2 messages

Riley Hill <ontariooregonmayor@gmail.com>

Thu, Jul 15, 2021 at 1:41 PM

To: joseph.dalke@faa.gov, mandi.lesauis@faa.gov, Benjamin.J.Mello@faa.gov

Greetings:

Please find the attached letter from Mayor Hill.

 **FAA Letter 07142021.pdf**
190K**Dalke, Joseph (FAA)** <joseph.dalke@faa.gov>

Thu, Jul 22, 2021 at 2:30 PM

To: Riley Hill <ontariooregonmayor@gmail.com>, "Lesauis, Mandi (FAA)" <Mandi.Lesauis@faa.gov>, "Mello, Benjamin J (FAA)" <Benjamin.J.Mello@faa.gov>

Cc: Erik Hartley <Erik.Hartley@ontariooregon.org>

Good Afternoon Riley,

I don't believe I saw the initial message on June 9th of this year, however, as I understand from this letter you are proposing to potentially use some shelters on airport property for temporary homeless housing.

Before we could evaluate any type of request, we would need to have an exhibit clearly indicating where these shelters are on the airport, what type of property it is, and how it was acquired.

I have CC'd Erik Hartley on this email string as he will be familiar with what this type of exhibit would entail.

Thank you,

Joseph Dalke, P.E.

FAA Civil Engineer

SEA ADO



Riley Hill <ontariooregonmayor@gmail.com>

Ontario Oregon Airport

1 message

Riley Hill <ontariooregonmayor@gmail.com>

Wed, Jun 9, 2021 at 2:59 PM

To: mandi.Lesavis@faa.gov, Benjamin.J.Mello@faa.gov

Greetings:

I am not sure how I got your name and address.

I am the Mayor of Ontario, Oregon, which has land designated as airport property in excess of 300 acres. Years ago, the City had a golf course on the property which has since been abandoned.

The remnants are golf cart storages, about 135 of them. We are searching for a use for them.

What is possible?

Thank you,

Riley J. Hill
Mayor

Sincerely,

Joseph Dalke, P.E.

FAA Civil Engineer

SEA ADO

2200 S 216th St

Des Moines, WA 98198

Office: 206-231-4137

From: Riley Hill <ontariooregonmayor@gmail.com>

Sent: Monday, July 26, 2021 12:18 PM

To: Dalke, Joseph (FAA) <joseph.dalke@faa.gov>; Lesauis, Mandi (FAA) <Mandi.Lesauis@faa.gov>; Mello, Benjamin J (FAA) <Benjamin.J.Mello@faa.gov>

Subject: Ontario Airport Spaces

Please see the attached.

Erik Hartley <Erik.Hartley@ontariooregon.org>

Tue, Jul 27, 2021 at 4:47 PM

To: "Dalke, Joseph (FAA)" <joseph.dalke@faa.gov>, Riley Hill <ontariooregonmayor@gmail.com>

Cc: "Lesauis, Mandi (FAA)" <Mandi.Lesauis@faa.gov>

Mr. Dalke,

I've attached a letter I sent to City Council at the beginning of May when talks regarding the interest in having a homeless shelter at the airport first surfaced. This is not a new topic.

Erik M. Hartley, MASc | Airport Manager

Cell: 541-212-1676

Office: 541-881-8848



Dear Ontario City Council,

Airport Management would like to address the City Council's interest in relocating a homeless on federally assured Airport property. With respect to that interest, please review Chapter 20 of the Federal Aviation Administration's (FAA) Airport Compliance Manual – Order 5190.6B. As the stance of the FAA is salient and succinct. The FAA has stated "Any residential use on an airport, or residential use granting "through-the-fence" access, is an incompatible land use." Specifically, 20.3 Residential Use of Land on or Near Airport Property Paragraph, a. General states the following:

The general rule on residential use of land on or near airport property is that it is incompatible with airport operations because of the impact of aircraft noise and, in some cases, for reasons of safety, depending on the location of the property.

Additionally, Section 20.3 Residential Use of Land on or Near Airport Property Paragraph, b. FAA position states:

At federally obligated public-use airports, however, the existence of the incompatible land use is not acceptable.

A reviewal of the Airport's footprint, and its land compatibility and zoning may provide for a better understanding for the general public. In 2007, an Airport Master Plan (Update) was completed. Within that update to the 1992 Master Plan, an Airport Layout Plan (ALP) was developed and submitted to the FAA for approval. The ALP is essentially an overview of proposed and approved development at the Airport. The Airport is required to follow this "roadmap" to ensure grant assurance compliance. You may recall when the City failed to follow the 1992 ALP, sold the Ozawa property and, subsequently, had its federal funding for the airport frozen for the better part of a decade. Figure 1-1 depicts the Airport's property boundary.

Within the figure, the potential location of the homeless shelter has been highlighted by the red "X". Additionally, the green outline surrounding the airport denotes "Airport/Aeronautical" by the 2007 FAA approved Airport Layout Plan (ALP). This location would be deemed incomputable and unacceptable.

For reviewal purposes, a grant assurance is what the Airport sponsor is contractually obligated comply with and to uphold to remain in good standing to receive the federal funding for its airport. Specific to the relocation of the homeless, the City fail to meet Grant Assurance #8, #21, and #29. Should the homeless shelter be placed here, the City would again be in violation of grant assurances and may be required to pay back its federal funding, at its own cost correct all changes made, or striped of National Plan of Integrated Airport Systems (NPIAS) status, thus rendering all Airport Improvement Program (AIP) grants barred.

Grant Assurance #8 States:

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

Grand Assurance #21 states:

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

While Grant Assurance #29 states:

The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

Respectfully,

Erik M. Hartley, MASc.

Airport Manager