

WILLOUGHBY HILLS CITY COUNCIL
Ad-Hoc Committee Against Any and All
Expansion of the Cuyahoga County Airport

Welcome!

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PURPOSE OF THIS MEETING

- 1.To communicate with you so we all better understand the situation and time frames
- 2.To advise you of our plans
- 3.To listen to your comments and try to answer your questions

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INTRODUCTIONS

1. Officials from Willoughby Hills
2. Officials from other communities
3. Other guests

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AGENDA

1. Brief Cuyahoga County Airport History
2. Understanding Who has Control
3. Our Plan of Action
4. Role of the FAA
5. Time Frame
6. Questions and Answers

History of CCA

- In 1929 CGF was originally built and operated by Curtis Wright Corporation. Within a few years, the Federal courts shut the airport down on the grounds that it constituted a nuisance.
- This landmark case established the legal right of homeowners in Ohio to bring an action in nuisance against airport operators for interference with their right to use and enjoy their homes.

History of CCA

- Cuyahoga County acquired the property for airport purposes in 1946; however litigation by neighboring homeowners kept the airport from opening until May, 1950.
- The first Master Plan was prepared and approved in 1956.

History of CCA

- A second Master Plan was prepared and approved in 1977.
- It was approved by both Cuyahoga and Lake County Commissioners.
- It is not clear why the preparation of the current draft Master Plan excluded Lake County, particularly in light of the past history of cooperation

History of CCA

- A brief summary of the 1977 Master Plan does lead us to ask questions why expansion is being pursued:
 - 1977 annual “operations” estimated at 130,000
 - 1995 forecast to increase to 340,000 which is why planning for construction of a second parallel was started immediately
 - Instead, the actual number of operations in 1995 was 72,967... only about half the total of operations in 1977
 - 2005 operations totaled even less, 56,239
 - 2006 estimated operations was less yet, 54,000
 - Now the Master Plan Update projects 2020 operations: 81,270

History of CCA

- 1977 Master Plan maintained *Runway 5* at 5100 feet.
- 1977 Master Plan envisioned an extension to *Runway 23* for departures by extending the runway by about 500 feet to the southwest.
- The stated need was to permit business jets to travel further distances without the necessity of refueling. This same “need” is being repeated today.

History of CCA

- Approximately 15 years ago, a 500' stop-way was built.
- When a further recommendation was made to relocate Richmond Road, this proposal generated significant opposition.
- When the CC Commissioners applied for Airport Improvement funds to construct this stop-way, they did not consider the 500' extension to be essential to the ordinary operation of the runway. Hence, its length was included in the 1000' distance required by FAA from the end of runway to Richmond Road.



History of CCA

- Subsequently, the FAA revised regulations “making it impossible for the airport to comply with FAA regulations without eliminating the stop-way, since the community and its elected officials have expressed their intention to reject” the relocation of Richmond Road.
- Willoughby Hills and Richmond Heights expressed their opposition to relocating Richmond Road...

1994 Resolutions Against Relocation of Richmond Road

- City of WH - Resolution No. 1994-22: "City Council and Administration oppose any expansion...deleterious to public health, safety and general welfare of residents."
- City of RH - Resolution No. 42-94: "Mayor Daniel Ursu and City Council record strong support for straight alignment of Richmond Road and strongly urge Ohio Department of Transportation to reject realignment."
- City of RH – Resolution No. 67-94: "Mayor Ursu and City Council formally refuse to grant consent to any realignment of Richmond Road."

Understanding Who Has Control

- Since control of the airport is in the hands of the CC Commissioners, the City of WH cannot directly decide what expansion, if any, should occur at the airport.
- There is simply no legal basis for a city to adopt specific legislation that would implement actual matters submitted.
- The review of and comment upon any proposed airport improvement is an administrative matter, not legislative. City Councils are legislative bodies and can only express concerns and opinions by way of resolution. The actual implementation of any expansion is beyond its control.

Understanding Who Has Control

- This does not mean that individual citizens and the City of WH do not continue to have the power and right to oppose any threatened airport improvement project that may interfere with the rights of the citizens of WH to use and enjoy their property, free from interference or nuisance, but...
- This does mean that the City of WH lacks the legislative power to directly control any such proposed project.

Understanding Who Has Control

- If Cuyahoga County decides to continue with a revised Airport Layout Plan (ALP) calling for runway extensions, there will no doubt be additional alternatives presented.
- Some alternatives may cause more harm to WH residents than others. It may be in the best interest of the citizens for a particular alternative to be recommended as the lesser of two evils if it is obvious that one of the alternatives will be adopted in spite of our opposition.
- Similarly, we must be careful that the city does not lose all credibility (and therefore our ability to negotiate) with the FAA or Airport Operator if the city is perceived as opposing any airport expansion even if the net results are not negative.

Understanding Who Has Control

- In other words, knowing that we are fundamentally opposed to all expansion...
It is in all of our mutual best interests to consider all impacts of any proposed expansion before the City can or should officially take a particular position.
- Until and unless a proposed improvement surfaces and is reviewed, it is not possible to know, in advance, whether or not the particular proposal is or is not in the best interests of the citizens.
- This leads us to....

Our Plan of Action: Position Statement

- The Administration and City Council of Willoughby Hills remain steadfastly opposed to runway expansion at CCA and will continue to fight expansion in the same manner as has been done previously and successfully.
- The Administration and City Council of Willoughby Hills support portions of the Master Plan Update that address safety concerns and the reduction of noise at the airport as these are valuable and necessary improvements that do not require any airport runway expansion.

Our Plan of Action

- Insist on open communications with CCA officials and CC Commissioners regarding our concerns about Master Plan Update and Airport Runway Extension.
- Attend and provide comment expressing our opposition to runway expansion at all known meetings regarding CCA Expansion or Master Plan Update.
- Work with other area local governments and citizens groups to form a Unified Coalition Against Expansion.

Our Plan of Action

- Engage local, county, state and federal elected officials in an intensive lobbying effort to make them aware of our concerns.
- Involve both internal and external legal representation when appropriate and warranted.
- Communicate with FAA officials at all levels regarding our concerns about airport runway expansion.

Our Plan of Action

- Continue to inform the Citizens of Willoughby Hills of developments on the issue, as necessary.
- Encourage Willoughby Hills citizens to continue to make their voices heard directly through community meetings, comment cards, and letters to:
 - City officials, to be passed on to CCA and higher authorities
 - Lake County Commissioners
 - Ohio Representatives and Senate
 - Federal Representatives and Senate

Our Plan of Action

Continue to Retain Aviation Expert Attorney David Zoll

- Retained by City of WH in February of 2007
- Initial focus was to prevent Draft Master Plan from promoting the current “preferred alternative” #29. (#38 on table)
- If the Draft Master Plan is approved at any level, then there still must be a full environmental and noise review process with open public meetings and limited appeal rights before any construction can begin. These are David Zoll’s areas of expertise.

Our Plan of Action

Legislation

- Ordinance: An ordinance asserting the City of Willoughby Hills' legal right to keep Bishop Rd as it now exists, free from appropriation on a basis of a right which is expressed specifically within the frame of the Ohio Constitution, section III. Article 18
- Resolution: A Resolution to work with other local governments in forming a Unified Coalition Against Expansion.

Our Plan of Action

Unified Coalition

- Through a combined effort with the Cities of Richmond Heights (Resolution No. 33-2008), Highland Heights (Resolution No. 17-2008), and WH, (Resolution No. 2009-4), resolutions submitted by all three municipalities, the U.S. DOT/FAA responded to all three municipalities.
- The FAA acknowledged the concerns and felt the importance of explaining their role in the airport planning process currently underway by the CC Airport Authority (sponsor):

The FAA Role

- The FAA does not own or operate CCA.
- Primary role in airport master planning is to provide technical and advisory assistance to the sponsor through the review of local master plans and airport layout plans.
- The main intent of our review of the ALP is to ensure that potential development meets FAA airport design standards and will not impact aviation safety or efficiency at the airport.
- FAA also reviews and approves local aviation forecasts to ensure future activity is supported by acceptable forecasting analysis.

The FAA Role

- The FAA has a limited role with regards to a local planning study.
- The level of public involvement is determined by the sponsor and their consultant and depends upon the complexity of the master plan and the level of public interest.
- Activities conducted by the consultant can range from a small public awareness campaign to conveyance of a citizens advisory committee.

The FAA Role

- FAA actions and approvals are limited to:
 - Review and approval of aviation forecasts as appropriate.
 - Conducting an airspace review of the sponsor's proposed development to ensure that it is safe and effective use of airspace.
 - Conditional approval of an ALP providing FAA's airport design standards are satisfied and airspace review has resulted in a determination that the sponsor's plans are considered safe and efficient use of airspace.

The FAA Role

- It is the responsibility of the sponsor to determine what role the airport will take in the national aviation system.
- The FAA does not require an airport to increase runway length to accommodate larger aircraft but rather the FAA ensures that proposed development is safe, efficient and follows FAA design standards.
- Master planning allows the sponsor to analyze runway length alternatives and present the best and most practical course of action in standard document.

The FAA Role

- Prior to any development, environmental approval would be required.
- The environmental review will clearly describe the project's purpose, prudent alternative, and environmental impacts of the proposed development on the surrounding communities.
- For major projects, this process will involve public participation as well as extensive review of justification, all feasible alternatives and the evaluation of environmental and socioeconomic issues.

Time Frame

- CC Commissioners approved submission of the Airport Master Plan to the FAA on February 12, 2009
- Airport Master Plan was submitted to FAA on 2/24/2009
 - Draft Final Report - Airport Master Plan Update dated Feb. 2009
 - Airport Master Plan Update - ALP dated April 2008
 - ALP Review Checklist dated April 22, 2008

Time Frame

- FAA approval of RSA Study and Airport Master Plan (approx. 6 months... estimated November of 2009)
- Environmental Clearance Process & FAR Part 150 Noise Study (approx. 24 months... est. November of 2011)
- Benefit Cost Analysis (approx. 12-24 months... est. 18 months would be May of 2013)
- Funding Strategy (approx. 12 months – est. May 2014)
- Design, Permitting, Land/Easement Aquisition Phases (approx. 18-36 months – est. 27 months, August, 2016)
- Construction and Commissioning Phase (approx. 24 months – August 2018)
- Total period = 8-10 Years, *if funding is available*

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COMMENTS, QUESTIONS & ANSWERS

- Please remember that all of us are totally opposed to all expansion
 - Please limit to 3 minutes
- Rather than repeat what has already been stated, please consider saying: “I agree...”