

# County of Santa Clara

Roads & Airports Department

Airports Division  
Reid-Hillview & San Martin Airports  
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San Jose, California 95148  
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[www.countyairports.org](http://www.countyairports.org)



October 9, 2020

## **SEND VIA OVERNIGHT MAIL AND EMAIL**

Mark McClardy  
Director, FAA Office of Airports  
Federal Aviation Administration  
FAA Western-Pacific Region  
777 S. Aviation Boulevard, Suite 150  
El Segundo, CA 90245

### **Re: Request for Status Update on County of Santa Clara ("County") Written Request for Release for "Tully" Parcel at Reid-Hillview Airport ("RHV") for Redesignation for Non-Aeronautical Uses and Long-Term Lease**

Dear Mr. McClardy:

On or about September 19, 2019, the County of Santa Clara, as sponsor for RHV, submitted its Written Request for Federal Aviation ("FAA") Release for Redesignation for Non-Aeronautical Use ("Request") for an 8.6-acre property located at the northwest corner of Tully Avenue and Capitol Expressway in San Jose ("Tully Parcel"). On October 30, 2019, the County submitted an updated Exhibit I to the Request, as per FAA's request. (A copy of the County's Request submittal, including the October 30, 2019 updated Exhibit I is included with this letter for reference.) On November 15, 2019, the FAA indicated the Request had been referred to the FAA Office of Airports for review and action.

To the County's knowledge, after more than one year the FAA has taken no action with regard to the County's Request. This is in the context of the County's two prior requests for release relating to the Tully Parcel since 2015 that also received no decision from the FAA.

We are sending this letter to respectfully request a written update on the status of the County's request and when the County might expect to receive a decision. If the FAA needs additional information, please let us know. Consistent with the information in the Request, the FAA's continued inaction on the Release is resulting in lost potential revenues to the County that are desperately needed, especially as a result of the negative economic impacts due to COVID-19. As stated in the application, the Request is entirely consistent with applicable FAA guidance relating to property releases.

The FAA's prompt consideration and approval of the Request is respectfully requested at the latest before the end of 2020. To the extent that timeline is not workable, please let us know.

[https://scccconnect-my.sharepoint.com/personal/eric\\_peterson\\_rda\\_sccgov\\_org/Documents/Property Releases/RHV corner of Capital and Tully/2020 10-09 ltr to FAA.docx](https://scccconnect-my.sharepoint.com/personal/eric_peterson_rda_sccgov_org/Documents/Property%20Releases/RHV%20corner%20of%20Capital%20and%20Tully/2020%2010-09%20ltr%20to%20FAA.docx)

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian  
County Executive: Jeffrey V. Smith

Otherwise, we will reluctantly refer this matter to our County Counsel's office to evaluate the County's legal remedies.

Thank you for your anticipated continued operation in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Eric Peterson". The signature is written in a cursive style with a large initial "E".

Eric Peterson  
Director County Airports

C: Harry Freitas  
Laurie Suttmeier

Enclosure: County September 19, 2019 Submittal to FAA (including October 30, 2019 Update)