



U.S. Department
of Transportation
**Federal Aviation
Administration**

APR 2 2015

Western-Pacific Region
San Francisco Airports District Office

1000 Marina Boulevard, Suite 220
Brisbane, CA 94005-1835

April 2, 2015

Mr. Eric Peterson
Acting Director County Airports
Airports Division
2500 Cunningham Avenue
San Jose, CA 95148

Land Release Request
Reid-Hillview Municipal Airport
Santa Clara County

Dear Mr. Peterson:

We have received your letter, dated February 26, 2015, requesting our support for the release of a parcel of airport land. The particular parcel is located adjacent to the northeast end of Taxiway Z at the Reid-Hillview Airport (Airport). We have reviewed the information you provided. Based on the information provided, and the airport sponsor's present status of being found in non-compliance with its grant assurances, the Federal Aviation Administration (FAA) is not able to support your request to release the requested parcel of airport land for non-aviation commercial use.

According to the information provided, the land described for the release was acquired with Federal Grant funding, in March 1963 under Project No. 9-04-128-D402. One of the conditions of the grant included the requirement that the land was to be available to the public for aviation purposes. From our evaluation of the property's size and location, the FAA does not support the release of land obligated for aviation purposes. We considered the following factors in making our determination:

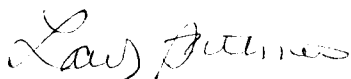
1. The Airport Sponsor, the County of Santa Clara, is currently in non-compliance with the Sponsor's federal obligations. As a matter of procedure when considering a sponsor's request for a land release, the FAA completes an evaluation of the site file. One of the areas reviewed pertains to the Sponsor's past and present compliance record under all its airport agreements. Equally important is the Sponsor's commitment to ensuring the airport is maintained and operated in a safe manner for the benefit of the public. As a result, we cannot undertake or commit to any federal action regarding the land release request until the County of Santa Clara has returned to compliance.
2. The location of the particular parcel of airport land is approximately 350 feet from runway centerline, adjacent to Taxiways Y, Z & A. This particular location is considered prime airport property. Allowing for non-aviation commercial development so close to the airport operation area may be problematic. We see

the proposed non-aviation use of the requested land as an encroachment that may negatively impact the airport.

3. This particular parcel of land was acquired for airport purposes in 1963 with federal assistance under Project No. 9-04-128-D402. One of the conditions of that grant was that the land was to be used for aviation purposes. Your explanation of having not used the land for aviation purposes for the last 40 years does not justify its non-aviation use. We do not see any compelling justification that this land cannot have an aviation purpose. Although the Airport Layout Plan labeled the parcel of land as "Future Non-aviation Commercial Use," the ALP is a planning document only and does not constitute FAA approval for non-aviation use.

For the reasons noted above, the FAA does not support the release of the requested parcel of land for non-aviation commercial. You do not need to provide additional information to officially process the release. We conclude that the release of the requested parcel of land for non-aviation commercial use would not have a net benefit to civil aviation.

Sincerely,



Laurie J. Suttmeier
Acting Manager, Airports District Office

cc: AWP-620