

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

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CODE ENFORCEMENT UNIT****JUN 11 2012**

June 6, 2012

SENT VIA CERTIFIED MAIL

Mr. Thomas J. Voss, President
The Grand Del Mar Resort, LP
5300 Grand Del Mar Court
San Diego, CA 92130-4901

Dear Mr. Voss:

RE: Unauthorized Helicopter Landings at The Grand Del Mar Hotel

It has come to our attention that helicopters have been landing at The Grand Del Mar Hotel. The California Department of Transportation (Caltrans), Division of Aeronautics, is the primary State agency responsible for permitting airports and heliports. Our mandated responsibilities are described in the California Public Utilities Code (PUC), Section 21001 et seq. and the California Code of Regulations (CCR), Title 21, Sections 3525 through 3560. Your facility does not have a State-permitted heliport and does not appear to meet any heliport permit-exemption criteria.

Helicopter operations at your hotel must cease and desist until heliport operations are authorized. In the meantime, you must obliterate any markings, remove the windsock, and de-energize the lighting system, in accordance with Federal Aviation Administration (FAA) Advisory Circular (AC) 150/5390-2B, *Heliport Design*, Paragraph 209f. Helicopter operators using the site should be notified that landings at this site are illegal.

PUC Section 21663 states that it is unlawful to operate an airport (a heliport is also defined as an airport) unless an appropriate permit has been issued by Caltrans. In certain instances, airports are exempted from the permit requirements, pursuant to PUC Section 21661 and defined in CCR Section 3533(b). Because the hotel is located within the City of San Diego, a "personal-use" exemption does not apply. Therefore, a State issued Special-use Heliport Permit is required to operate a helicopter landing area from hotel property.

If the hotel desires to operate a heliport, a completed Heliport Site Approval Permit – Application must be submitted to and approved by Caltrans. The application requirements, listed in CCR Section 3534, include:

- Two copies of scaled drawings of the heliport and adjoining areas. The heliport must meet or exceed the design standards established in CCR, Article 4 of the regulations.
- Topographic map showing location of the approach surfaces relative to the heliport.
- Local area map or drawing showing the location of schools, public gathering places and residential areas within 1,000 feet of the center of the heliport.
- Documentation of approval of the plan for construction by either the Board of Supervisors of the county or the City Council of the city in which the heliport is located.
- Documentation of action by the Airport Land Use Commission of the county in which the heliport is located.