



# County of San Diego

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September 26, 2018

Mr. Scott Chadwick  
Chief Operations Officer  
City of Carlsbad  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

**Re: McClellan-Palomar Airport Master Plan Update & Program Environmental Impact Report SCH# 2016021105**

Dear Mr. Chadwick:

Thank you for your interest in this project and submitting comments on behalf of the City of Carlsbad. The McClellan-Palomar Airport Master Plan Update and Program Environmental Impact Report documents were released for public review from January 18 to March 19, 2018. In response to comments received from the initial public review period, revisions were made to specific sections of the analysis and figures, and pursuant to CEQA Guidelines § 15088.5 those sections were released for public review from June 21 to August 6, 2018.

In accordance with State CEQA Public Resources Code § 21092.5, the County is providing the enclosed responses to the City of Carlsbad's comment letters in advance of a planned hearing by the County Board of Supervisors scheduled for October 10, 2018 in which a decision will be made on the project. Hearings take place at the County Administration Center, 1600 Pacific Highway, Room 310, San Diego, California 92101 and general proceedings begin at 9:00 am.

The Master Plan Update is a phased 20-year strategy to prioritize improvement projects at the McClellan-Palomar Airport to maximize safety while meeting current and future facility needs. The project website ([www.palomarairportmp.com](http://www.palomarairportmp.com)) contains resources and airport-related documents pertinent to this project, and links to information regarding ongoing operations. As a key component of the region's air transportation network, we appreciate the City of Carlsbad's participation in the Master Plan Update process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cynthia Curtis".

Cynthia Curtis  
Environmental Planning Manager

Attachment

Responses to Comment Letter L3, R-L3

**Comment Letter L3**



March 16, 2018

Cynthia Curtis, Environmental Planning Manager  
County of San Diego  
Department of Public Works  
5510 Overland Avenue, Suite 410  
San Diego, CA 92123

Re: Comments on the McClellan-Palomar Airport Master Plan Update and Draft Program Environmental Impact Report

Dear Ms. Curtis:

The City of Carlsbad submits the attached comments on the McClellan-Palomar Airport Master Plan Update and Draft Program Environmental Impact Report (DEIR) prepared in connection with the Master Plan Update.

The City and San Diego County have had a cooperative working relationship regarding the operation of the Airport and the County’s compliance with the City’s land use policies related to the Airport. We expect and appreciate that the County will continue its long-standing policy of respecting the City’s land use policies and objectives. To that end, we believe that the Master Plan Update should acknowledge that history and the County’s intentions in that regard. With a goal of continuing that cooperation, the City requests that revisions to the Master Plan Update and Draft EIR focus on the following principal areas of concern, consistent with our detailed comments:

1. For transparency, the documents should properly, accurately and consistently describe the nature and extent of future airport operations. The public deserves a thorough and plain-English explanation of the types and extent of commercial service expected to be accommodated by the Master Plan Update projects and the extent to which future commercial traffic is merely accommodated or induced by the Master Plan Update projects.

2. The documents should thoroughly analyze and disclose the impacts of the Master Plan Update projects and aircraft operations, including impacts related to aesthetics, noise, surface transportation, air quality, biological and greenhouse gas emissions.



L3-1

**City Manager’s Office**  
City Hall 1200 Carlsbad Village Drive | Carlsbad, CA 92008 | 760-434-2820 t

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3. We request that the County commit to robust and effective mitigation measures to mitigate the impacts on Carlsbad residents of the Master Plan Update projects.

4. As noted above, the public expects that the documents will clearly describe the County's intentions regarding the extent to which the County will abide by, and conform to, the City's land use regulations related to the Airport.

The City looks forward to working with San Diego County and its consultants to ensure that the Master Plan Update and its various project components are undertaken in a manner that does not compromise the health and well-being of Carlsbad residents, while ensuring that requirements for safety and air navigation are met at the McClellan-Palomar Airport.

Sincerely,



Scott Chadwick  
Chief Operations Officer

cc: Carlsbad City Council

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cont.

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**MASTER PLAN UPDATE COMMENTS**

Capitalized terms not otherwise defined below have the meanings set forth in the Master Plan Update. References to CEQA Guidelines refer to California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 -15387.

**I. COMMENTS APPLICABLE TO MULTIPLE SECTIONS OF THE MASTER PLAN UPDATE**

L3-2

The following comments address issues that apply to multiple sections of the Master Plan Update.

**A. Definition of Airport Property and Indication of Airport Boundaries**

McClellan-Palomar Airport is referred to throughout the Master Plan Update as the “Airport”; however, it is unclear from this definition what property is considered to be within the airport boundary. Moreover, the various exhibits included in the Master Plan Update do not consistently indicate a single airport boundary. For example, certain exhibits indicate that the parking area to the south of the airport is within the airport boundary (see, for example, Exhibit 2.1 [Existing Airfield Facilities] [p. 2-2], while others do not include this area (see, for example, Exhibits 2.17 [Compatibility Policy Map - Safety] [p. 2-40] and 5.1 [Airport Influence Area/Safety Zones] [p. 5-11]). Please distinguish between the boundary of County-owned airport property and the boundary of airport operations, and ensure that these definitions and boundaries are used consistently throughout the Master Plan Update. Additionally, please clarify how these boundaries relate to the area subject to CUP 172 and CUP 172(B). Moreover, as discussed below in relation to the DEIR, please ensure that the definitions and boundaries used to identify the airport property in the Master Plan Update are also used consistently within the DEIR, which does not appear to include the area to the northeast of El Camino Real and Palomar Airport Road within the Airport Study Area (the “Eastern Parcel”).

L3-3

As the County recognizes, a proper identification of the airport boundary has more than mere practical implications. Under FAA regulations, the County is required to maintain both a current Airport Layout Plan and an airport property map, both of which accurately depict the real property that is subject to FAA grant obligations. (See generally, FAA Order 5190.5B, *Airport Compliance Manual*, § 7.18.) Whether a particular parcel is (a) merely owned by the County but not formally designated as part of the airport; (b) owned by the County, designated as part of the airport and properly approved by the FAA for non-aeronautical uses; or (c) owned by the County, designated as part of the airport and authorized only for aeronautical uses, are all significant legal distinctions that affect the future uses of the property, and the role of the City and the County in planning for use of the property. The designation of County-owned property as lying within the boundary of the airport has financial and legal significance under federal, state and local law; the City needs to understand the precise boundary in order to comment meaningfully on key elements of the Master Plan Update. The Airport Layout Plan is

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not included in the Master Plan Update and there is an indication that it will be attached, perhaps to the final version after final approvals. We request that the Master Plan Update include both the current and proposed Airport Layout Plan in its entirety (to include the airport property map and appropriate maps of airport safety geometry).

L3-4  
cont.

The Master Plan Update also fails to disclose whether the County is planning to seek FAA approval for the change in designation of any airport property from aeronautical to non-aeronautical uses or whether the County is planning to designate any County-owned property that lies outside the Airport Layout Plan as airport property for purposes of FAA regulations. Such planning is crucially important for the City to understand its role and the potential flexibility in future uses of such property. Providing a copy of the Airport Layout Plan airport property map (or Exhibit A to the latest FAA grant application) will be enormously valuable for public evaluation of the Master Plan Update.

L3-5

Finally, "Airport" should only be used to mean the facility or the location of the airport, not an entity capable of taking action with respect to the Proposed Project. See, for example, Section 5.7.6 (Preferred Airfield Alternative), which provides that "It is also recommended that the Airport pursue land acquisition for any and all existing and ultimate RPZs although this action may not be determined as practical..." (p. 5-42) Please ensure that the term "Airport" is not used to refer to an action by the County.

L3-6

**B. Modification of D-III Standards**

The Master Plan Update contemplates that the project improvements will consist of the D-III Modified Standards Compliance Alternative. We presume that the Master Plan Update is referring to the airport design standards contained in the latest edition of FAA Advisory Circular 150/5300.13A, *Airport Design*. As the term implies, adoption and implementation of this alternative will require FAA formal approval of a Modification of Standards ("MOS") applicable to certain airfield design standards. Such modifications are also contemplated by the DEIR, which notes with respect to the separation normally required between runways and taxiways: "Despite not achieving the full 400-foot runway-taxiway separation distance, the FAA could potentially approve the layout if the County formally requests a Modification to Standard to the FAA." (Section S.5.4 [D-III Modified Standards Alternative] [p. S-5]).

L3-7

While historically the FAA was fairly liberal in granting an MOS, current FAA policy does not routinely allow an MOS except in extraordinary circumstances. It is important that the County disclose: (a) the process involved in seeking such approvals; (b) why the County believes that the FAA will approve an MOS; (c) what modifications to FAA standards will be sought; (d) what operational or land use conditions are likely to be imposed in connection with any MOS approval; and (e) how failure to secure an MOS approval will affect the elements of the Master Plan Update. Of course, if the County has already secured informal or conditional approval of an MOS as contemplated in the Master Plan Update, that approval should be explained.

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**C. Runway Protection Zones (“RPZ”)**

The City has the following comments and questions regarding the ways in which the RPZs are addressed in the Master Plan Update.

L3-8

1. In connection with most Master Plan Update approvals (and undoubtedly in connection with approval of an MOS), the FAA will seek to have the County indicate whether it has plans for bringing its safety area geometry into compliance with *Airport Design*. The Master Plan Update appropriately addresses compliance with requirements for the Runway Safety Area and other runway safety zones such as the Object Free Area and Building Restriction Line. However, the airport does not presently have FAA-compliant Runway Protection Zones (“RPZs”) and it appears that the Master Plan Update does not contemplate property acquisitions that would be necessary to achieve compliance. In the interest of transparency, and to educate those portions of the public who are not intimately familiar with *Airport Design* or with the FAA policy on use of real property within the RPZs ([https://www.faa.gov/airports/planning\\_capacity/media/interimLandUseRPZGuidance.pdf](https://www.faa.gov/airports/planning_capacity/media/interimLandUseRPZGuidance.pdf)), we request that the Master Plan Update explain (a) the FAA policies on permissible land uses within the RPZs; (b) whether the County intends to seek to have restrictions imposed on land use consistent with FAA policies by the jurisdiction with land use regulatory authority over each such parcel; (c) whether the County will seek to acquire property within the RPZs, if practical; and (d) what, if any, operational changes or restrictions will be imposed in light of the non-compliant RPZs. The City is especially interested in whether the FAA is likely to seek from the City land use restrictions on non-County-owned property within the RPZs and what such restrictions are planned to be.

L3-9

2. As noted above, the City wishes to know whether the County intends to acquire additional property within the RPZs. Section 5.7.6 (Preferred Airfield Alternative) provides that “It is also recommended that the Airport pursue land acquisition for any and all existing and ultimate RPZs although this action may not be determined as practical [see discussion above]. At a minimum, the Airport should demonstrate that it is taking all steps possible to protect land uses within existing and ultimate RPZs. These actions should not fall under the definition of ‘expansion’ identified in CUP-172 as the size of the RPZs represent existing conditions.” (p. 5-42 – 5-43). The acquisition of RPZ land is also recommended in the DEIR (see, for example, DEIR Section 2.3.2.3 [Airport Hazards], noting that “land within RPZs should be secured at the earliest opportunity” [p. 2-65] and Section 5.1.2 [Project’s Component Parts], noting that “lands within these areas would be sought over time for property interest as opportunities arise.” [p. 5-3])

L3-10

In contrast to these statements, the County explains elsewhere in the Master Plan Update that it has intentionally abstained from acquiring such land. Section 5.4.2.1 (General Environmental and Land Use Constraints) states that “The County in developing the Master Plan has voluntarily avoided any property acquisition to support the expansion of airport facilities beyond current property boundaries.” (p. 5-6). Section 5.7.1.2 (Constraints Regarding

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Airfield Alternative 2) further notes that “Expansion of Airport would trigger vote of Citizens of Carlsbad in accordance with Section 21.53.015 of the City’s Municipal Code due to the need to acquire additional land to accommodate airport facilities and City of Carlsbad to amend CUP-172.” (p. 5-27)

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Please address how the land acquisition recommended in Section 5.7.6 of the Master Plan Update may affect the need for additional approvals from the City or the County. In particular, as noted in the previous Comment section, if the County (or the FAA) seeks land use changes on non-County-owned property, the Master Plan Update should indicate what such proposed changes are and the process that the County proposes to use to seek such changes.

3. Please address how the Proposed Project will impact the size and location of the current RPZ areas. Section 5.7.6 (Preferred Airfield Alternative) of the Master Plan Update provides that “the size of the RPZs represent existing conditions.” (p. 5-42). The Master Plan Update does not describe an increase in the size of the RPZs in its text. However, a comparison of Exhibit 2.1 (Existing Airfield Facilities) (p. 2-2) and Exhibit 5.10 (Phased Development Exhibit) (p. 5-54) shows that the western RPZ appears significantly longer, and the eastern RPZ appears significantly smaller, in the future development scenario. We understand these changes are needed in connection with the proposed redesignation of the airport as a D-III category airport. Please clarify if and how the RPZ areas are planned to change under the Master Plan Update, including any consequences this may have with regard to CUP 172 and CUP 172(B). This also should be done to ensure that the Master Plan Update is consistent with the DEIR, which discusses that the RPZs will shift in location in connection with relocating the runway north and extending its eastern end (see DEIR Section 2.3.2.3 [Airport Hazards] [p. 2-65]).

L3-11

**D. Change in Airport Reference Code**

The Master Plan Update explains the FAA policies governing changes in the airport reference code (as set forth in *Airport Design*) that are necessitated by the largest commonly used aircraft at the airport. This explanation is useful but begs the question that the public needs to understand: if at least 500 D-II aircraft have been using this airport notwithstanding its designation as a B-II airport, have all of these operations (and other operations by aircraft larger or faster than B-II aircraft) been operating unsafely at this airport? In other words, would it be unsafe for the airport to continue to accommodate aircraft larger and faster than B-II aircraft until such time as the County is able to make the safety improvements contemplated in the Master Plan Update? These questions are important because it is not immediately clear to the non-expert public whether the proposed improvements are designed to *remedy an unsafe condition* at the airport or, more optionally, designed to *enhance* airport safety for the benefit of users and the general public. In particular, the Master Plan Update should clearly explain whether, in the absence of the proposed airfield improvements, aircraft in categories above B-II would either discontinue to use the airport altogether or would decrease their usage for safety reasons.

L3-12

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The County appears to take the position in the Master Plan Update that the airfield improvements are merely designed to accommodate aircraft that are already using the airport, albeit with a compromised margin of safety. If so, the Master Plan Update also needs to explain (a) whether the enhancement of the airport to comply with D-III standards (with a MOS) would create an inducement for even larger aircraft, i.e. aircraft that are faster and larger than D-III, to use the airport or whether there are other physical characteristics, e.g., runway length or pavement weight-bearing capacity, that would prevent such growth; and (b) whether the existing fleet mix would change once the airport becomes officially able to accommodate larger aircraft.

**E. Distinguishing Safety and Business Benefits of a Runway Extension**

The Master Plan Update explains that a longer runway would allow larger aircraft to take off with full fuel loads, as certain aircraft that currently utilize the airport are only able to take off with reduced fuel loads. The purpose of extending the runway is also explained as a way of enhancing safety (see, for example, pages ES-7 and ES-8); however the specific safety benefits of the runway extension (as opposed to the construction of Engineered Material Arresting Systems) are not described. This is also applicable to the DEIR (see, for example, DEIR Section 1.1.2 [Meet Runway Length], stating that “A longer runway would enhance safety and operational capabilities of the existing and future fleet of aircraft at the airport....” [p. 1-4])

It is important for both the Master Plan Update and the DEIR to clearly distinguish between the safety mandates and rationale for the runway extension and the business or user-enhancement benefits. While a longer Takeoff Run Available (“TORA”) and other runway geometries certainly could enhance the maximum stage length of departing flights, the Master Plan Update does not explain these benefits, quantify the benefit to the County or the users, or, most importantly, explain whether such benefits are the driving force or only a minor factor in seeking a runway extension. It is especially important for the Master Plan Update to forecast the number of operations that would be affected by the longer runway, in particular the number of operations that would not occur *but for* the runway extension and how many operations would exist *with or without* the runway extension but be able to take advantage of the longer stage length available because of the longer runway takeoff distance available.

It appears that the longer runway will principally provide business benefits by making the airport more attractive for long-stage-length operations. The Master Plan Update, however, also asserts that there are safety imperatives driving the runway extension but those safety benefits are neither disclosed nor explained. Beyond the obvious statement that a longer runway is almost always safer, the Master Plan Update should address the safety benefits of the proposed runway extension, and explain where there is a safety mandate from the FAA (or requirement under applicable *Airport Design* standards) that is driving the runway extension.



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**F. NEPA Documentation for FAA Approvals**

Neither the Master Plan Update nor the DEIR adequately explains the NEPA process that will be used to secure necessary FAA approvals for Master Plan Update components. While the FAA allows airport sponsors to prepare joint CEQA and NEPA documents, the County has not chosen this path. It is important, therefore, to disclose the County’s strategy for NEPA documentation because that strategy will fundamentally affect the level and depth of public participation in the FAA approval process. For example, the County should disclose the following: (1) is the County going to seek conditional FAA approval of the Airport Layout Plan as envisioned in the Master Plan Update or will it seek approval of each component of the Master Plan Update as it becomes ripe for decision; (2) will the County request that the FAA prepare NEPA documentation on the entire Master Plan Update or only on specific project components once timing and financing become clearer for that component; and (3) does the County contemplate that some or all of the Master Plan Update components will require a federal EIS prior to FAA approval or will an Environmental Assessment or even a Categorical Exclusion (or documented Categorical Exclusion) be sought under FAA Order 5050.1B? The answers to these key questions will help the public understand whether the review of this DEIR and Master Plan Update will be only the initial opportunity for public participation or whether it is the only such opportunity.

L3-13

**G. General Readability**

The Master Plan Update should be revised to ensure that all section, exhibit and table references are correct in the text of the document, and that conflicting, inconsistent, or unsubstantiated statements are addressed (certain of these statements are identified in later comments below). Please ensure that tables and exhibits include proper labelling and numbers, for example: Exhibits 2.13 and 2.14 are mislabeled (Exhibit 2.13 depicts General Plan planned land uses but is labelled “Airport Area Existing Land Use”, while Exhibit 2.14 appears to depict existing land uses and is labelled “Airport Area Future Land Use”) (pp. 2-32 and 2-34); Exhibit 5.2 (Airfield Alternative 1) (p. 5-24) includes a reference to the “Airport Property Line” in the legend, but the line does not appear to be shown on the actual exhibit; and Table 6.7 (Airport Capital Improvement Plan) (p. 6-7) includes numerous arithmetical errors that render it difficult to understand. Addressing these issues will greatly improve the readability of the Master Plan Update.

L3-14

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**II. SECTION SPECIFIC COMMENTS ON MASTER PLAN UPDATE**

The following comments address issues that are particular to specific sections of the Master Plan Update.

**A. Section 2 – Inventory of Existing Conditions**

**1. Section 2.10.5 (Policy F-44 “Development of McClellan-Palomar Airport”) (p. 2-44)**

Section 2.10.5 describes the purpose and content of County Policy F-44, and notes that “The new McClellan-Palomar Airport Master Plan lays out a new comprehensive 20-year plan for development of the Airport, making Board Policy F-44 Development of McClellan-Palomar Airport duplicative....[F]ollowing adoption of the McClellan-Palomar Airport Master Plan the Board of Supervisors may determine Board Policy F-44 is no longer needed and repeal it.” (p. 2-44)

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Of potential significance is the fact that Board Policy F-44 limits scheduled commuter airline operations to 70-seat aircraft, while the Master Plan Update does not. Please consider whether the repeal of Board Policy F-44 is an action that would need to be evaluated in the DEIR. The DEIR notes the existence of Board Policy F-44 (p. 3-86) but includes no discussion of whether the Master Plan Update conflicts with Board Policy F-44, nor what the considerations may be in repealing Board Policy F-44.

**B. Section 3 – Aviation Activity Forecast**

**1. Section 3.2 (Aviation Activity Forecast – Introduction) (p. 3-1)**

The Master Plan Update provides in Section 3.2 that “Since the ‘planning-level’ scenario is beyond the specific tolerance for future projections, submitted forecasts of aviation activity have not been approved by FAA in their entirety.” (p. 3-2) Section 3.2 further references a memorandum issued by the FAA Los Angeles District Office on October 10, 2017, stating that “the FAA had no objections if the County chose to base local land use planning decisions on the ‘planning-level’ forecast, however, any related mitigation measure would not be eligible for Airport Improvement Program funding.” Please address how the lack of: (1) FAA approval of submitted forecasts; and (2) Airport Improvement Program (“AIP”) funding for mitigation measures related to ‘planning-level’ forecasts, might impact the feasibility of the Proposed Project.

L3-16

The statement in the Master Plan Update that the FAA Los Angeles District Office has no objections to use of Planning Activity Levels (“PALs”) in lieu of specific data does not address the question of whether the FAA has formally approved the use of any forecast other than the Terminal Area Forecast (“TAF”). Both the proposed forecast in the Master Plan Update and the

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regional forecast differ substantially from the latest TAF, so the appropriate Airport District Office approval letter should be referenced in, and attached to, the Master Plan Update.

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cont.

Because the proposed forecast, especially with respect to commercial passenger enplanements, differs so dramatically from the FAA TAF, it is incumbent on the County to explain why its forecast passenger enplanement level is so high. The Master Plan Update explains why the FAA passenger enplanement forecast is too low, but it does not include any data to substantiate the growth that the County projects. In particular, if the County has information from existing or proposed new commercial operators, the Master Plan Update should disclose that information.

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Finally, the availability of commercial service at small regional airports has seen a resurgence in the last few years for myriad economic reasons. In some regions, such as the San Francisco Bay Area, Seattle and Los Angeles, the growth of commercial passenger service has been led by the increased inconvenience of large hub airports (e.g., SFO, SEA, LAX, respectively) and regional surface traffic congestion. In other places, such as Tampa Bay and the Boston metropolitan area, the relative cost of operating at the large hub and the growth of ultra-low-cost carriers (e.g., Allegiant and Spirit) have been the driving factors. And at still others, growth has been driven by a single new innovative carrier such as Rise, SurfAir, Blade and other start-ups operating very small aircraft outside the regulatory ambit of the Transportation Security Administration. The Master Plan Update forecast should place the projected enormous growth in commercial passenger enplanements at the airport in this context. In particular, does the County contemplate that congestion at San Diego International Airport (“SAN”), surface travel times to SAN, or the growth of startups like CalJet to be the driving force(s) for growth at the airport? Are there other startups whom the County believes may be interested in establishing service at the airport? What are the opportunities or impediments to an increase in commercial service? Given that service with large transport category aircraft such as the A320 or B737 is likely, does the County expect that the introduction of the new, efficient C-series regional passenger aircraft from Bombardier (<https://commercialaircraft.bombardier.com/en/cseries.html>) and similar aircraft from Dornier (<https://www.fairchild-dornier.com/3.html>) will have a significant impact on operations at the airport? These are all questions that the public has been asking and should be addressed in the Master Plan Update.

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**2. Section 3.2 (Aviation Activity Forecast – Introduction) (p. 3-1)**

CEQA Guidelines § 15144 states that “While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.” To that end, please provide a more comprehensive discussion of whether the planned improvements will induce demand at the airport, with a particular focus on whether: (1) an extended runway would attract additional air carriers traveling longer distances; and (2) the County expects that air cargo operations would be introduced to the airport, given the growth of e-commerce and increased demand for faster, more efficient delivery services.

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The issue of induced demand is especially important for this Master Plan Update. For many airports, capital improvements are designed primarily to accommodate existing or reasonably foreseeable future demand caused by extrinsic forces (e.g., regional growth, increase in aircraft movements generally, etc.) This Master Plan Update appears to contemplate induced demand by: (a) increasing the design category of the airport from B-II to D-III; (b) increasing runway length; and (c) making the commercial passenger facilities more attractive to air carriers. The Master Plan Update and the DEIR should disaggregate the forecast to show the portion of the increase that is attributable to extrinsic economic factors and the portion of the increase that is induced, i.e., attributable to improvements in airport facilities.

L3-19  
cont.

**C. Section 5 – Alternative Analysis**

**1. Section 5.4.2.2. (Existing Conditions – Environmental Factors – Air Quality) (p. 5-6)**

Section 5.4.2.2 explains that a runway extension would allow for aircraft to take off from the airport without having to make a second fuel stop at a nearby airport, noting that “With the runway improvements, the efficiency or “green benefits” of the project would help to offset overall fuel usage and, hence, greenhouse gas and other air quality emissions.” (p. 5-7) This assertion is made without reference to any supporting evidence. Please explain the basis for this assertion. Please also provide context for this assertion by explaining how many flights this change is anticipated to impact. We understand from Airports Director Peter Drinkwater that, to the best of his knowledge, there is currently only one flight per week that needs to make a second fuel stop at a nearby airport (as stated at the February 13, 2018 public workshop hosted by the County).

L3-20

**2. Section 5.4.2.12 (Existing Conditions – Light Emissions and Visual Effects) (p. 5-18)**

Section 5.4.2.12 notes that the proposed improvements “include potential runway and taxiway extensions that would alter existing slopes and likely require a retention wall. The City of Carlsbad Landscape Manual (February 2016) identifies policies and requirements that correspond with Community Theme Corridors. Due to the existing landfill and methane collection system, and steep slopes associated with a potential retention wall, adherence to these policies and requirements may be challenging, however, they should be followed to the extent possible.” The Master Plan Update also refers to a potential retaining wall at the west end of the runway. (p. 5-19)

L3-21

Please provide greater detail regarding the location, length and height of both of these retention walls. Section 5.7.3 (Airfield Alternative 4 – D-III – On Property) explains that the taxiway extension “is proposed over an area that has an approximate drop-off of 50 feet from

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the airfield," which would seem to indicate that the first described retaining wall also would need to be as much as 50 feet in height. (p. 5-33)

L3-21  
cont.

Furthermore, it is unclear from the above description at what point in the development process the County would seek to incorporate the screening and landscaping measures outlined in the Landscape Manual, or how these measures would be implemented. Please provide additional information regarding these measures.

In addition to Carlsbad Landscape Manual policies and requirements, Carlsbad Municipal Code Chapter 21.95 (Hillside Development Regulations) also addresses development affecting hillsides. One of the purposes of this chapter is to "preserve and/or enhance the aesthetic qualities of nature hillsides and manufactured slopes by designing projects which relate to the slope of the land, minimizing the amount of project grading, and incorporating contour grading into manufactured slopes which are located in highly visible public locations." (Section 21.95.010(B)) Please assess the applicability of these Hillside Development Regulations to the project and state whether the County intends to adhere to these provisions as well as to those of the Landscape Manual. Additionally, the City requests that it be able to review, comment on and approve the plans for hillside/slope grading, the retaining walls, and the screening thereof.

L3-22

Additional comments regarding the DEIR's discussion of the retaining walls are provided below, in DEIR Comment II.B.3 of this letter.

L3-23

**3. Section 5.7.7.2 (Interim Airfield Alternative -- Constraints) (p. 5-44)**

Section 5.7.7.2 notes that the Interim Airfield Alternative may not be eligible for FAA AIP funding, and that "a significant portion of the Preferred Airfield Alternative presented in Section 5.7.5<sup>1</sup> may not be eligible for FAA or State grants." (p. 5-44) However, Table 6.7 (ACIP) includes such potential funding, with a note in Section 6.2 (ACIP) acknowledging that securing funding from the FAA for some of these components "may be challenging." (p. 6-6) Please provide a more detailed description of how project costs are anticipated to be met if FAA funding cannot be secured for certain components.

L3-24

Tables 6.4 (Operating Revenues), 6.5 (Operating Expenses), and 6.6 (Operating Revenues and Expenses) (all p. 6-5) also appear to show operating losses without any current debt service. This would seem to indicate that airport revenues cannot support the cost of project components without FAA funding.

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<sup>1</sup> Please note that the reference to Section 5.7.5 on p. 5-44 of the Master Plan Update is incorrect, as the Preferred Airfield Alternative is discussed in Section 5.7.6.

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**4. Exhibit 5.10 (Phased Development Exhibit) (p. 5-54)**

Exhibit 5.10 indicates an area labeled “Reserved for Future GA Parking”. If parking were constructed in this location, a retaining wall almost certainly would be required. However, this is not discussed in the Master Plan Update. Please ensure that the Master Plan Update explicitly states where retaining walls would be needed in connection with the project improvements, including labeling the location of such retaining walls in this exhibit.

L3-25

**5. Table 5.1 (Preferred Development Strategy by Phase) (p. 5-53)**

Aesthetic projects, such as retaining walls and associated landscaping costs, are not included in Table 5.1, which is described as listing “the various recommended improvement projects and development programs by phase. These listed projects form the basis of the Airport Capital Improvement Program (ACIP).” (p. 5-52) Please update this table to include aesthetic improvements as a component of the ACIP.

L3-26

We also note that cost estimates for the area reserved for General Aviation parking and for other improvements are noted as “TBD.” This information is needed to more fully understand the costs associated with the ACIP. Please include such cost estimates in the final Master Plan Update.

**D. Section 6 – Airport Capital Improvement Plan**

**1. Table 6.7 (ACIP) (p. 6-7)**

Table 6.7 displays the ACIP, based on Exhibit 5.10, and outlines various capital expenditures. As with Table 5.1, aesthetic improvements, particularly retaining walls and corresponding landscaping, need to be included in the table as separate project components with their own phasing and budget line items. The City has for many years emphasized the need for the County to undertake aesthetic improvements to the airport perimeter; as the Proposed Project is now anticipated to have a further significant impact on visual resources, mitigation is required by the DEIR, and must be funded accordingly. Near-term slope improvement projects should be contemplated as part of the overall program, rather than solely as part of mitigation, as they will be needed in advance of the retaining walls.

L3-27

[COMMENTS TO THE DEIR BEGIN ON THE FOLLOWING PAGE]

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**DRAFT EIR COMMENTS**

Any capitalized terms not otherwise defined below have the meanings set forth in the DEIR. References to CEQA Guidelines refer to California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 -15387.

**I. COMMENTS APPLICABLE TO MULTIPLE SECTIONS OF THE DEIR**

The following comments address issues that apply to multiple sections of the DEIR.

**A. Clarification of Proposed Project Components**

CEQA Guidelines § 15126.6 requires consideration and discussion of alternatives to the Proposed Project, providing that “The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” To that end, please provide a comprehensive outline of the components of the Proposed Project, so that the Proposed Project may more accurately and readily be compared with the alternatives considered. Chapter 4 of the DEIR compares the Proposed Project to the project alternatives with respect to both project objectives and potential impacts. These elements are discussed in the text of the chapter and in Tables 4-1 (Comparison of Project Alternatives to Project Objectives) (p. 4-17) and 4-2 (Comparison of Project Alternatives to Significant Proposed Project Impacts) (p. 4-19), respectively. However, this chapter does not include a clear description of the components of the Proposed Project as compared to the components of the project alternatives. Without such a description, it is very difficult to distinguish how the Proposed Project varies from the D-III Modified Standards Alternative.

L3-28

The difficulty in comparing the project alternatives is exacerbated by the fact that the Proposed Project is referred to in the Master Plan Update as the ‘D-III Modified Standards Compliance Alternative.’ It is very easy for the reader to confuse the ‘D-III Modified Standards Compliance Alternative’ (selected as the Proposed Project) with the ‘D-III Modified Standards Alternative’ (which was not selected). A clear description of the Proposed Project components, and a table comparing these components with those of the project alternatives, would help the reader to distinguish the Proposed Project from the other options.

**B. Definition of Airport Property**

As discussed above with respect to the Master Plan Update, it is unclear from the definition of “Airport” what property is considered to be within the airport boundaries. Please distinguish between the boundary of County-owned airport property and the boundary of airport operations, and ensure that these definitions and boundaries are used consistently throughout the DEIR.

L3-29

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**C. Study Area Boundaries**

CEQA Guidelines § 15124(a) requires that “the precise location and boundaries of the proposed project shall be shown on a detailed map.” The DEIR includes a map indicating the project Study Area (Figure 1-2 [Vicinity Map] [p. 1-23]) but this map does not include the Eastern Parcel, even though the eastern RPZ overlaps with this area (see Figure 1-5 [Conceptual Development Phases] [p. 1-29]). Please explain why the RPZ is not included in the Study Area.

L3-31

Additionally, it appears that the relocation of a Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (“MALSR”) is being contemplated outside of the Study Area, in the Eastern Parcel. Section 1.3 (Project Location) states that “the Proposed Project site does not include the vacant County-owned parcel located at the northeast corner of Palomar Airport Road and El Camino Real. All improvements are proposed on the existing airport use areas northwest of the Palomar Airport Road/El Camino Real intersection.” (p. 1-11) This assertion is also made in Section 3.1.7.1 (Land Use and Planning – Existing Conditions) (p. 3-81) and elsewhere in the DEIR. However, Fig. 1-3 (Runway Safety Areas and Runway Object Free Areas) (p. 1-25) of the DEIR appears to show MALSR being present in the Eastern Parcel, and Section 1.2.1.1 (Near-term Projects) further states that the “200-foot extension would also require the relocation of the MALSR located east of the runway....The additional lighting system would be located on County-owned land that is currently vacant. A portion of this land is designated as Open Space.” (p. 1-7)

L3-32

We understand that the relocation of MALSR is considered a federal action as “The FAA is the owner and responsible agency for this lighting system.” (Section 1.2.1.1 [Intermediate-term Projects] [p. 1-8]) However, as the land impacted by the relocation is County-owned, analysis of this action still is required. Such an analysis is also relevant because it will inform federal agencies of potential impacts of the Proposed Project (see Section 1.5 [Intended Uses of the EIR] [p. 1-14]). As such, please expand the Study Area boundaries to include the RPZ and MALSR. Please also evaluate the potential environmental impacts of relocating the MALSR.

**D. NEPA Documentation for FAA Approvals**

Neither the Master Plan Update nor the DEIR adequately explains the NEPA process that will be used to secure necessary FAA approvals for Master Plan Update components. Please refer to Master Plan Update Comment I.F, above, for the City’s questions with respect to the County’s strategy for NEPA documentation.

L3-33



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**II. COMMENTS ON PARTICULAR SECTIONS OF THE DEIR**

The following comments are particular to specific sections of the DEIR.

**A. Chapter 1 (Project Description, Location, and Environmental Setting)**

**1. Inclusion of Environmental Review and Consultation Requirements in Project Description**

L3-34

CEQA Guidelines § 15124(d)(1)(C) states that the EIR Project Description must contain “A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. To the fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.” While the DEIR considers related environmental review and consultation requirements in its analysis of the Proposed Project’s impacts, these requirements do not appear to be outlined in the Project Description. Please add such a section to the DEIR Project Description.

**2. Section 1.1.2 (Meet Runway Length/Width Requirements) (p. 1-4)**

L3-35

Section 1.1.2 notes that a “longer runway...is not defined or required by FAA Design Standards for a D-III airfield.” (p. 1-4) Please confirm if this is why the runway extension is not eligible for FAA AIP funding; if not the cause, please explain what is.

**3. Section 1.2.1.3 (Long-term Projects (13-20 years)) (p. 1-8)**

L3-36

This Section notes that in connection with the MALSR relocation (discussed above in DEIR Comment I.C of this letter) “Minor trenching to connect electrical utilities to the new locations of the navigational aids would be necessary.” (p. 1-9) We note that in addition to the minor trenching mentioned, MALSR relocation also would require foundations for relocated light structures as well as a maintenance path or road. Please ensure that the DEIR describes all physical improvements required in connection with the MALSR relocation.

**4. Section 1.3 (Project Location) (p. 1-11)**

L3-37

Section 1.3 provides that “The City of Carlsbad maintains land use authority outside of the boundaries of the County-owned land” (p. 1-11) and Section 2.1.1 (Existing Conditions) similarly notes that “The airport is located within the municipal limits of the City of Carlsbad, but is not subject to its land use authority.” (p. 2-5) However, the distinction between the City and County’s land use authority is not simply demarcated by the boundary of County-owned property. The City maintains land use authority for private development on County-owned airport land and is responsible for issuing building permits for such non-public use structures (see Section 3.1.6.1 [Existing Conditions], explaining that “...future private development at the

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Airport is subject to discretionary review by the City” [p. 3-69], as well as DEIR Comment II.C.6, below). Airport improvements also are subject to CUP 172 and CUP 172(B), issued by the City. As such, this section should more thoroughly address the respective land use authority of the City and the County in the DEIR.

L3-37  
cont.

Additionally, Section 2.1.1 states that “because the Airport is located within the City of Carlsbad’s municipal limits, the County’s Zoning Ordinance does not apply to the Proposed Project.” (p. 2-3) When read together with the statement in Section 1.3, this language implies that there are no land use regulations applicable to the airport. Please clarify this statement.

L3-38

**5. Section 1.4.3 (Site Characteristics) (p. 1-12)**

In keeping with DEIR Comment I.C, above, regarding the inclusion of the MALSR in the Study Area boundaries, please include a description of the Eastern Parcel and existing navigational aids in this description of airport site characteristics, rather than in the preceding section on surrounding land uses.

L3-39

**6. Section 1.8 (List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area) (p. 1-15)**

Section 1.8 notes that “City of Carlsbad records were reviewed for development project environmental documents within two miles of the airport for potential cumulative environmental impacts...”, yet the DEIR provides no explanation for why a two-mile radius was chosen to define the area within which cumulative impacts would be evaluated. (p. 1-15) Please explain why a two-mile radius was chosen, in accordance with CEQA Guidelines § 15130(b)(3), which requires that a cumulative impacts analysis “...define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.”

L3-40

**7. Section 1.9.2 (Promotion of Economic Growth) (p. 1-17)**

Section 1.9.2 provides that “Based on CEQA Guidelines, the Proposed Project includes improvements to an existing airport that would not significantly induce economic or population growth...” (p. 1-17) However, the 2013 Feasibility Study for Potential Improvements to McClellan-Palomar Airport Runway, prepared by Kimley-Horn & Associates, Inc., identifies economic growth resulting from the proposed runway extension. Please discuss the economic growth findings of this study, or explain why such findings are not applicable to the DEIR review.

L3-41

**8. Table 1-3 (Matrix of Project Approvals) (p. 1-19)**

The table notes that the FAA is the agency responsible for approving the Airport Layout Plan. Please also add that the FAA is responsible for the relocation of the MALSR, if this is correct.

L3-42

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**9. Table 1-4 (Cumulative Projects List) (p. 1-19) and Figure 1-7 (Cumulative Projects Map) (p. 1-33)**

In July 2017, the City provided the County with a list of projects to include in the evaluation of cumulative impacts of the Proposed Project. It appears that a number of these projects were omitted from the DEIR analysis. Omitted projects include the Legoland Hotel, Westin Hotel (including timeshares), and the International Floral Trade Center, among others. Please update the evaluation of cumulative impacts to include the projects provided in this list, or explain why these projects were omitted from the analysis.

L3-43

This comment is also applicable to the near-term cumulative projects listed in Traffic Study Table 9-1, included in Appendix E. A number of projects identified by the City for the cumulative impacts noise analysis were not included in the study, and the reason for their omission is unclear.

**B. Chapter 2 Significant Environmental Effects of the Proposed Project**

**1. Section 2.1.1 (Aesthetics and Visual Resources – Existing Conditions) (p. 2-1)**

Section 2.1.1 provides that “The Airport’s primary viewers are motorists along Palomar Airport Road. These viewers’ exposure to visual changes from a project are temporary and transient, lasting only as long as they are traveling on Palomar Airport Road adjacent to the Airport.” (p. 2-2) This characterization does not account for the fact that many of the same commuters drive along this route daily, resulting in viewers’ repeated exposure to airport projects, and thereby downplays the significance of this exposure. Please update this description to more accurately characterize viewer exposure.

L3-44

**2. Section 2.1.1 (Aesthetics and Visual Resources – Existing Conditions) (p. 2-1)**

Section 2.1.1 describes the various components of the regulatory framework that control the aesthetics and visual resources impacted by the Proposed Project (p. 2-3). Please update this list to include the Carlsbad Landscape Manual, which establishes a structure for designing and maintaining landscapes in new construction and renovated landscapes, as well as Carlsbad Municipal Code Chapter 21.95 (Hillside Development Regulations), which regulates development affecting hillsides and steep slopes.

L3-45

**3. Section 2.1.2.1 (Visual Character and Visual Quality – Analysis) (p. 2-5)**

L3-46

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Section 2.1.2.1 explains that the Proposed Project “would introduce a retaining wall along the southern slope of the Airport along Palomar Airport Road (near its intersection with El Camino Real)...Because this portion of the Airport currently consists of a natural slope, introduction of this retaining wall would contrast with the existing visual character and quality of the site. Therefore, implementation of the Proposed Project would result in *significant impact* related to visual character and visual quality.” (p. 2-6)

L3-46  
cont.

The City has the following comments and questions regarding the retaining wall and the corresponding landscaping needed to screen it.

a) Please better identify the specific height and location of this wall, as it is not indicated in Figure 1-5, Phased Development Plan (p. 1-29), nor anywhere else that we could find. A retaining wall would need to be constructed on the western end of the runway, in addition to the southern slope of the airport, but is not shown, either. Please provide this information on a map.

L3-47

b) Taxiway A would be extended in two phases: a 200-foot near-term extension, and then a 600-foot long-term relocation/extension. Please discuss whether the retaining wall would similarly be constructed in two phases to accommodate both taxiway extensions. Also, the Taxiway A extension(s) appears to conflict with the existing vehicle service road at the southeast end of the airport. How would the vehicle service road be modified, and what effect would it have on the extent of the future retaining wall? Please confirm that no retaining wall would be necessary along El Camino Real to accommodate the future runway extension, EMAS, vehicle service road and runway lighting.

L3-48

c) The description of the retaining wall provides that “the County will incorporate aesthetic measures from the City of Carlsbad, including the *City of Carlsbad Scenic Corridor Guidelines* as discussed in Section 2.1.2.1 (see Section 2.1.2.4 [Consistency with Adopted Goals, Policies, and Ordinances] [p. 2-10]). Explicit reference also should be made to adhering to the Carlsbad Landscape Manual.

L3-49

d) Section 2.1.2.1 discusses the existing slopes along Palomar Airport Road and El Camino Real, and explains that several factors prevent implementation and landscaping of this area, the primary reason being that the eastern slope “functions as the protective cap (cover) for the inactive landfill underlying portions of the Airport boundary.” (p. 2-6) The City recognizes that these factors limit the potential landscaping and screening options, however the City does not believe that they eliminate all viable options. Please consider the following landscaping measures:

L3-50

i. Utilize the slope areas outside of the landfill footprint, as it appears there are fairly wide, flat areas at the base of the slope along Palomar Road and more narrow areas on El Camino Real that are outside of the landfill footprint. Appropriate landscaping, including trees and larger screen shrubs, could be installed in these areas to provide

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screen/softening of the slopes beyond, and to provide a more desirable view corridor on these major streets.

ii. Install plantable walls if wall heights exceed six feet.

iii. As permanent pressurized irrigations lines are not permitted on the landfill’s surface, including the slopes (see p. 2-7), install pressurized mainlines at the base of the slopes in the public right-of-way outside of the landfill footprint. Install non-pressurized irrigation lateral lines above-grade up the slopes to allow for proper germination and the establishment of plantings. Use large radius rotors to minimize the number of lateral lines needed, thus reducing removal and replacement costs during maintenance grading operations. If irrigation can be added, explore an appropriate native seed mix that could establish in the clay cap or be added to a shallow layer of more conducive soil.

iv. As an alternative to permanent pressurized irrigation lines, consider master valves/check valves and leak detectors to avoid damage. These elements could also be installed at the bottom of the slopes.

v. The native seed mix that is being used to treat the slopes has not been performing well, and it is unclear if this is due to the clay soil being devoid of nutrients and/or a lack of irrigation, but most likely it is due to a combination of both factors. If allowable, providing a shallow layer of more appropriate soil over the clay cap would be more conducive to plant growth.

e) Section 2.1.2.1 notes that “State Guidance requires the County Landfill Management Unit to properly maintain the slope, often by grading.” (p. 2-7) Please explain why state guidance requires grading and whether installation of a retaining wall would eliminate the need for such periodic regrading.

f) We understand that the protective cap over the landfill is “a non-permeable layer consisting of three feet of clay rich soils that are designed to exclude water infiltration.” (p. 2-7) As the cap is impermeable, please explain the concern for irrigation, even of shallow-rooted groundcover.

g) The City seeks a commitment from the County to allow the City to review, comment on, and approve the landscaping and screening of the retaining wall, as no such commitment is currently outlined in the DEIR. Section 2.1.4 (Mitigation Measures) provides that “The future retaining wall would be designed in consideration of the City of Carlsbad Scenic Corridor Guidelines to the degree feasible since any modification of the inactive landfill slopes would require coordination and oversight by applicable State and local agencies.” (p. 2-11) While the City recognizes that there are certain limitations to the way in which the retaining wall may be landscaped and screened, the City must have an opportunity to review and provide oversight of the proposed landscaping measures.

L3-50  
cont.

L3-51

L3-52

L3-53

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**4. Section 2.1.2.1 (Visual Character and Visual Quality – Analysis) (p. 2-5)**

While Section 2.1.2.1 discusses the need for a retaining wall along the southern slope of the airport along Palomar Airport Road, the DEIR does not discuss the need for a retaining wall associated with future GA parking, although one would almost certainly be required. The only reference to such a retaining wall appears in Section 4.2.2.1 (Comparison of the Effects of the No Project Alternative to the Proposed Project – Aesthetics), which notes that “The No Project Alternative would not result in any airport improvements identified under the Proposed Project, such as extension of Taxiway A or future general aviation parking that would necessitate a retaining wall visible along Palomar Airport Road.” (p. 4-3)

L3-54

Please revise the Visual Character and Visual Quality Analysis to include the potential for a retaining wall in this location, and discuss relevant measures to mitigate the visual impact of such a wall. Please note that the comments provided above with respect to the runway/taxiway retaining wall(s) also apply to a retaining wall in this location, apart from the slope-specific comments provided. The City also requests that it be able to approve the hillside/slope grading, landscaping, and screening of a retaining wall as needed in connection with GA parking.

**5. Section 2.1.2.1 (Visual Character and Visual Quality – Analysis) (p. 2-5)**

Please clarify whether the proposed relocation of MALSRS has been included in the consideration of light and glare impacts discussed in Section 2.1.2.1. This Section provides that the “Airport would be required to comply with applicable regulations as set forth in the County Light Pollution Code and the McClellan-Palomar ALUCP, as well as the FAA to ensure that light and glare would not result in safety hazards. As a result, any change in lighting with the Proposed Project would be *less than significant*.” (p. 2-7) As the MALSRS has not been included within the Study Area boundaries set forth in the DEIR, it is unclear whether this conclusion also applies to the proposed MALSRS relocation.

L3-55

**6. Section 2.2 (Biological Resources) (p. 2-17)**

The following comments apply to the entirety of Section 2.2 and should be addressed, as applicable in the setting, analysis, and mitigation portions of this Section.

a) Section 2.2 provides that “Biological resources data presented in this section include information obtained through a search of sensitive species and habitats databases for sensitive species known to occur within two miles of the project site.” (p. 2-17) Please explain why two miles was determined to be the appropriate radius for obtaining information regarding sensitive species surrounding the airport.

L3-56

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b) As previously discussed in this letter, the DEIR states that the Master Plan Update does not propose impacts to the Eastern Parcel. We believe this statement is somewhat misleading, as the MALSRS will need to be relocated to accommodate the runway shift. This relocation will likely require relocation of the MALSRS into the preserve area or the Pre-Approved Mitigation Area (“PAMA”), which will likely result in habitat loss. Please analyze the movement of the MALSRS into the preserve area or the PAMA and the associated impacts. (Please also see DEIR Comment II.C.1 below, questioning whether the relocation of MALSRS may impact land subject to a conservation easement.) Also, please analyze the impacts of the relocation of MALSRS on the requirements set forth in the letter dated March 7, 2011 to Cynthia Curtis from the U.S. Fish and Wildlife Service and the California Department of Fish and Game (attached to Appendix B, Biological Resources Technical Report, at page 165).

L3-57

c) The DEIR states that the airport “is subject to a Wildlife Hazard Management Plan (WHMP; C&S 2015) as approved by the FAA in 2016.... Components of the WHMP include wildlife control actions such as habitat management, hazing, and harassment. The FAA requires a zero-tolerance for hazardous wildlife on the airfield within the framework of federal and state regulations.” (p. 2-17) The DEIR also correctly notes in Section 2.2.1.1 that, “Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered a ‘take’ under the [Federal Endangered Species Act] FESA. Section 9(a) of the FESA defines “take” as ‘to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.’ ‘Harm’ and ‘harass’ are further defined in federal regulations and case law to include actions that adversely impair or disrupt a listed species’ behavioral patterns.” (p. 2-18) Please address how the FESA requirements affect the need to prevent wildlife from entering airport property and whether such activities would be considered “take” under the FESA. Also, please disclose what environmental assessment, if any, was conducted in connection with the 2016 approval of the WHMP.

L3-58

d) This Section does not fully analyze the cumulative impacts of the Master Plan Update on the Diegan coastal sage scrub. Please note that the 4(d) rule limits cumulative impacts to the coastal sage scrub of 5% of coastal sage scrub in the County. Please discuss these limits and evaluate whether the cumulative takes of the coastal sage scrub for the period of the Master Plan will be able to stay within these limits. If not, please provide additional mitigation to address impacts to the coastal sage scrub.

L3-59

e) The DEIR does not address requirements of the Coastal Zone Management Act (“CZMA”). Please note that a nesting gnatcatcher pair identified in the DEIR appears to occupy habitat in the coastal zone directly adjacent to the airport property, and that this habitat area is designated as Proposed Hardline in the City’s Habitat Management Plan (“HMP”). The HMP is a California Coastal Commission-certified component of the City’s Local Coastal Program. Given that the Master Plan Update projects propose to receive federal funding, the DEIR should address whether federal consistency review under the CZMA would be required and the potential results of that consistency review, including whether the City’s HMP

L3-60

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conservation policies for properties inside of the coastal zone would apply. Note, in particular, the City’s HMP policies for conserving gnatcatchers and their habitat in the Coastal Zone.

L3-60  
cont.

f) The DEIR does not appear to analyze potential impacts to offsite vernal pools. Please address those impacts, as well as the application of the CZMA federal consistency review and the City’s HMP conservation policies that could apply to those impacts. (See for example, HMP Policy 7-14a, specific to this site [p. D-119].)

L3-61

**7. Section 2.3.1 (Hazards and Hazardous Materials – Existing Conditions) (p. 2-49)**

We understand that the landfill classification was changed from Category 1 to Category 2 on July 12, 2016, “meaning there is a reduced risk to drinking water.” (p. 2-50) Given that previous County objections to irrigation of landfill slope areas were due in part to groundwater contamination concerns, please discuss whether this change in classification improves the feasibility of providing landscaping and irrigation on the slopes along Palomar Airport Road and El Camino Real. (See DEIR Comment II.B.3 above).

L3-62

**8. Section 2.3.2.2 (Projects with Existing On-site Contamination (p. 2-62)**

This Section notes that “Construction activities would include runway and taxiway improvements over landfill Unit 3, and potential general aviation parking over landfill Unit 1.” (p. 2-63) Construction methods described elsewhere in the DEIR describe drilling hundreds of holes into and through the bottom of landfill Unit 3 to install displacement column piles into competent soils in order to support the runway extension. Please update the description in this Section to clarify that the construction activities would not only occur over landfill Unit 3, but also into the Unit. Additionally, the DEIR should discuss potential hazards associated with this construction method, or explain why such an analysis is not needed.

L3-63

Please reevaluate whether mitigation measure M-HZ-1, described in Section 2.3.5 (Mitigation Measures) (p. 2-67), sufficiently addresses the potential hazards associated with this construction method.

**9. Section 2.3.2.3 (Airport Hazards) (p. 2-64)**

California state law requires each county with jurisdiction over an airport served by a scheduled airline to designate an Airport Land Use Commission (“ALUC”) and requires the ALUC to prepare a land use compatibility plan (“ALUCP”) for each such airport (California Public Utilities Code § 21670(b)). In San Diego County, the San Diego County Regional Airport Authority (“SDCRAA”) acts as the ALUC. Section 2.3.2.3 provides that the “SDCRAA is the responsible agency within San Diego County for regulating land uses within the AIAs [“Airport Influence Areas”] of 16 public-use and military airports.” (p. 2-65) While SDCRAA is the

L3-64



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responsible agency for determining the compatibility of land uses, land use authority still resides with the municipality. Please update Section 2.3.2.3 to make this distinction clear.

L3-64  
cont.

**10. Section 2.3.2.3 (Airport Hazards) (p. 2-64)**

Section 2.3.2.3 provides that “the marginal shift in RPZs would not render existing or approved land uses incompatible with an applicable ALUCP or constitute a hazard to aviation.” (p. 2-65) The current ALUCP assigns lands within the airport influence area to a Safety Zone numbered 1 through 6 (see ALUCP Exhibit III-2). Safety Zone 1 is the RPZ and is the most restrictive in terms of compatibility of land uses. ALUCP Policy 3.4.12 states that the basic compatibility criteria for Safety Zone 1 preclude most uses, including any new structures and uses having an assemblage of people. Further, “the presumption is that the airport owner owns or intends to acquire property interests - fee title or easements - sufficient to effectuate this policy. The ALUC policy is to encourage airport acquisition of these property interests in all of Safety Zone 1 with funding assistance from the FAA.”

L3-65

The analysis in this Section alludes to the ALUCP policy regarding the RPZ (Safety Zone 1), but does not address compatibility restrictions imposed on land uses in Safety Zones 2 through 6. It is conceivable that the northward shift of the runway and corresponding shift of the Safety Zones (in addition to the RPZ) could result in properties being placed in a more restrictive Safety Zone. This could in fact render an existing or approved land use incompatible with the ALUCP. In light of this potential outcome, please update this Section to address potential impacts to properties in all of the Safety Zones, not just the RPZ. (Please refer also to Master Plan Update Comment I.C, above, which address the treatment of the RPZs in the Master Plan Update.)

**11. Section 2.3.6 (Conclusion) (p. 2-68)**

This Section states that “The construction and operation of any structures on the inactive landfill units associated with the Proposed Project will comply with Title 27 CCR, Section 21190(g) to ensure there is no release of CH<sub>4</sub>.” (p. 2-68) Please also address whether the proposed bridge method for constructing the runway extension can be accomplished without the release of methane.

L3-66

**12. Section 2.4 (Noise) (p. 2-73)**

The CEQA Initial Study Checklist for the DEIR requires that a project “located within an airport land use plan” must be evaluated to determine whether the project would “expose people residing or working in the project area to excessive noise levels.” (See DEIR Appendix A, p. 33) We presume that this checklist item refers to projects located within areas subject to an ALUCP under California law. To meaningfully address this issue, individual noise events, such as a single aircraft flyover noise levels, must be taken into consideration.

L3-67

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While the DEIR includes analysis using the Community Noise Equivalent Level (“CNEL”) cumulative noise metric, local residents have a legitimate concern as to how the Proposed Project will affect the number of additional nighttime overflights, the frequency of those overflights, and their effect on sleep disturbance. This concern is of particular significance because no restrictions on aircraft operating hours are proposed at the airport. Single noise events must be analyzed in order to adequately address whether residents will be exposed to noise levels that rise to the level of being annoying or interfering with daily activities. Please include such an analysis in the evaluation of noise impacts of the Proposed Project. Please assure that this analysis includes an evaluation of impacts to Carlsbad residents living both north and south of Palomar Airport Road.

L3-67  
cont.

**13. Section 2.4.1 (Noise -- Existing Conditions) (p. 2-73)**

To evaluate noise impacts, Section 2.4.1 explains that “An ambient noise survey was conducted based on twelve noise measurements taken in ten separate locations.” (p. 2-74) The locations of these measurements are shown on Figure 2.4-3 (Ambient Noise Measurements) (p. 2-93). It is clear from this figure that while 15-minute ambient noise measurements were taken in all directions surrounding the airport, 24-hour noise measurements were not taken to the north of the airport. Carlsbad residents have expressed concern regarding both the noise impacts of aircraft overflights throughout the night, and the lack of measurements taken to the north of the airport. Please explain why no 24-hour noise measurements were taken in this location.

L3-68

**14. Section 2.4.1 (Noise -- Existing Conditions) (p. 2-73)**

The FAA’s proposed Southern California Metroplex “NextGen” air navigation system has the potential to affect flight patterns and schedules within the vicinity of the airport. While San Diego County has no control over the FAA or its management of navigable airspace, there is no doubt that the implementation of FAA’s Metroplex plans has caused considerable community concern and disruption throughout the nation – from northern California to Phoenix and from Seattle to Washington, DC. In light of the cumulative impacts of these new flight track procedures and the Proposed Project, please update the DEIR to evaluate noise impacts in the context of FAA flight track changes. The City previously provided this comment to the County in connection with the 2016 publication of the DEIR Notice of Preparation, but no discussion of the interplay between the FAA’s NextGen system and the Proposed Project was included in the DEIR.

L3-69

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**15. Section 2.4.2 (Noise -- Analysis of Project Effects and Determination as to Significance) (p. 2-77)**

Section 2.4.2 provides that “The analysis in this PEIR includes a comparison of the Proposed Project’s potential aviation noise impact associated with increased commercial air service activity in existing (2016) conditions, and future (2036) conditions. The County has no discretion or enforcement over non-commercial aviation activity, so the noise impact analysis does not include anticipated growth of non-commercial aircraft growth over the planning period.” (p. 2-78)

L3-70

This statement is both incomplete and not meaningful for CEQA purposes. First, the quotation in the DEIR is not complete. The technical report states: “As the County has the discretionary authority to allow for additional commercial service operations at the Airport, the noise analysis included not only an evaluation of impacts generated from the Proposed Project improvements, but an evaluation of the change in noise generated from the increase in commercial aircraft operations forecasted in the Airport Master Plan.” (Appendix D, Executive Summary, p. vii). Please clarify whether the statement in the DEIR or in the Appendix is accurate because the two statements are fundamentally different.

The City understands that the County may not directly place restrictions on any aeronautical activity with FAA approval under the federal Airport Noise and Capacity Act of 1990. This statute applies equally to both commercial and non-commercial airport users. Contrary to the statement in the DEIR, no distinction is recognized based upon the type of user. Notwithstanding limitations on the County’s authority under federal law, there is nothing in CEQA which exempts the County from analyzing: (1) increases in aircraft activity attributable to the Proposed Project, even if it does not have the independent legal authority to control that activity; and (2) cumulative impacts of aircraft operations at the airport – regardless of the type and regardless of whether such impacts are attributable to the Proposed Project. The purpose of the DEIR is to analyze impacts even if the County itself cannot prevent those impacts and the County’s authority is only relevant in the later discussion of mitigation.

L3-71

While the County has extremely limited authority to limit actual aircraft operations, the County does have considerable (and virtually plenary) authority to develop (or not develop) facilities to accommodate aircraft users. For example, the County enters into ground leases with fixed-base operators that service aircraft of various sizes and types, and as a ground-facility manager, it has at least indirect control over whether facilities are provided either to *accommodate* or to *induce* certain types of commercial or general aviation operations. As an example, if the County chose not to provide facilities to accommodate certain types of aircraft, while it could not prohibit those aircraft from operating at the airport (if their operation were safe), and while it could not prohibit a private sector service provider from accommodating those operations (if doing so complied with the County’s minimum standards), the decision on what facilities to provide, when to provide those facilities, the price at which services are

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provided, and the general level of customer service for users would all be highly relevant in the level of operations by that type of aircraft. It is, therefore, overly simplistic and inaccurate to assert that the County has no control over aircraft operations and that it therefore need to examine the impacts of certain types of operations. We request that the County explain that, while the County has no discretion or enforcement over *either commercial or non-commercial* aviation activity, its decisions on where, when and how to provide facilities will have an effect on aircraft operations. The County should explain the relationship between facilities and operations for both commercial and non-commercial operations. For clarity, the County should explain the cumulative impacts of: (1) actions within the County’s control; (2) actions as a result of the Proposed Project; and (3) cumulative actions that result in an increase in aircraft operations at the airport.

L3-71  
cont.

Regardless of the legal extent of County authority, the County should explain transparently that the impacts of aircraft noise are not tied to whether particular operations are commercial or non-commercial in nature and are not tied to the County’s lack of legal authority to regulate such operations. The noise impacts of both of these types of operation should be analyzed in the DEIR as noise impacts. The California Airport Land Use Planning Handbook provides at D-27 that “For general aviation, solid data may be scarce and use of estimates may become necessary.” While the County may not have comprehensive data on general aviation, it must not disregard the potential noise impacts from this form of aviation. CEQA Guidelines § 15144 states that “While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.” Best efforts should therefore be made to anticipate non-commercial aircraft growth over the planning period, and to analyze the potential aviation noise impact of such growth in the DEIR. (It is worth noting that general aviation airports in the United States routinely prepare noise contours, engage in noise compatibility planning under Part 150 of the Federal Aviation Regulations, mitigate noise impacts and, most importantly, prepare forecasts of aviation activity to justify capital projects. The County clearly has the expertise comparable to that of other general aviation airport proprietors to engage in such analysis.) The County should distinguish in its noise analysis between cumulative noise impacts and those impacts that are attributable to the Proposed Project.

L3-72

**16. Section 2.4.2.1 (Noise Sensitive Land Uses) (p. 2-79)**

The noise analysis in the Master Plan Update and DEIR considers two different forecast planning scenarios – PAL 1 (totaling 195,000 annual aircraft operations) and PAL 2 (totaling 208,004 annual aircraft operations) (see DEIR p. 2-80). We note that the current ALUCP assumes 289,100 annual operations (see ALUCP p. 3-2), which is a substantially larger figure than that presented in either PAL 1 or PAL 2. Please address the reasons for this difference. In particular, if the County rejects the ALUCP forecast, the DEIR should explain why the County’s projections are more reliable than those previously done as part of the ALUCP process.

L3-73

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**17. Section 2.4.2.1 (Noise Sensitive Land Uses) (p. 2-79)**

This Section provides that “In accordance with FAA guidelines, the noise analysis is measured by comparing conditions with and without the project in the same implementation year (i.e., 2036)... In other words, for the purpose of the noise analysis, the ‘without project’ scenario anticipates that aircraft operations would naturally continue to increase overtime [sic] regardless of commercial airline activity or capital improvements associated with the Master Plan Update.” (p. 2-79) Essentially, two future baselines are being compared against one another, instead of comparing existing conditions to projected ones, to determine noise impacts to noise sensitive land uses.

CEQA Guidelines § 15125(a) requires that “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. The environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.”

CEQA requirements are therefore generally understood to require that measured existing conditions be used as a baseline against projected future conditions. However, the California Supreme Court has held that “Projected future conditions may be used as the sole baseline for impacts analysis if their use in place of measured existing conditions – a departure from the norm stated in Guidelines § 15125(a) – is justified by unusual aspects of the project or the surrounding conditions.” *Neighbors for Smart Rail v. Exposition Metro. Line Constr. Auth.*, 57 Cal. 4th 439, 451-52, 160 Cal. Rptr. 3d 1, 12, 304 P.3d 499, 508-09 (2013)

L3-74

We note that Table 2.4-6 (Existing Conditions vs. Existing Conditions with Proposed Project [PAL 2]) (p. 2-99) does compare current conditions to future forecasts, and a brief discussion of this comparison is provided in Sections 2.4.2.1 and 2.4.2.2 (Project Generated Airborne Noise) (p. 2-81). However, the focus of the noise analysis remains a comparison of future-to-future conditions, not present-to-future conditions. In light of the CEQA guidance set forth above, and in light of the need for transparency, please include an additional comparison of present conditions to future projections with respect to noise impacts. Such a comparison will allow the public to have an understanding of the future environment (as compared to today’s environment) without regard to whether the changes from today are attributable to actions by the County (as set forth in the Master Plan Update) or are attributable to organic growth in aircraft operations. Understanding the County’s role as decision-maker is important to the disclosure and transparency objectives of CEQA and without such data, it is difficult or impossible for the public to have a meaningful understanding of that role.

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**18. Section 2.4.2.1 (Noise Sensitive Land Uses) (p. 2-79)**

This Section explains that the “PAL 2 noise contours extend over Planned Industrial and Open Space land uses that are not defined by the FAA or ALUCP as noise sensitive.” (p. 2-80) These land use classifications are based on the Carlsbad General Plan’s planned uses for this area however, and do not necessarily reflect current conditions. Additionally, Section 2.4.3 (Cumulative Impact Analysis) provides that “there are no noise-sensitive land uses located within the 60 [dB] CNEL contours under Existing Conditions (2016) or Future Conditions (2036) scenarios. A review of the City of Carlsbad’s General Plan determined that there are no changes to the land uses surrounding the Airport....” (p. 2-84) This statement is not precisely accurate. We note that there are a number of hotels in the vicinity of the airport, and that hotel uses are considered noise sensitive land uses (see p. 2-79). Rather than relying solely on the *planned* uses as set forth in the Carlsbad General Plan, please evaluate whether the Proposed Project will impact nearby *existing* or recently *approved* hotel uses.

L3-75

**19. Section 2.4.2.2 (Project Generated Airborne Noise) (p. 2-81)**

The threshold outlined in this Section discusses non-construction airborne noise, while the analysis focuses entirely on noise from projected vehicle trips. Please address why no other airborne noise sources are discussed in this Section.

L3-76

**20. Section 2.4.5 (Mitigation Measures) (p. 2-84)**

This Section explains how construction noise mitigation measures will be implemented to ensure that the noise limits specified in the San Diego County Code will be adhered to, and that if the construction hours mandated by the County Noise Ordinance need to be varied, County airport staff will seek a Noise Variance Permit from the County Noise Officer.

L3-77

The City also limits construction hours in Carlsbad Municipal Code Section 8.48.010 (Construction Hours Limitations), which should similarly be adhered to. Please commit to following these limitations, unless exempted by a designated City official.

**21. Section 2.4.5 (Mitigation Measures) (p. 2-84)**

The City requests that the County commit to allowing the City to review and comment on construction noise mitigation plans and implementation processes. The City further requests that the County commit to coordinating with the City’s Communications Office regarding planned major construction activities, so that residents and businesses can be informed of such activities in a timely manner.

L3-78

**22. Section 2.4.5 (Mitigation Measures) (p. 2-84)**

At the February 13, 2018, airport informational meeting hosted by the County, airport staff described steps that the County intends to take to strengthen Voluntary Noise Abatement Procedures (“VNAP”) beyond the VNAP measures described in the Master Plan Update. Please incorporate these actions into the planned mitigation measures outlined in the DEIR, and

L3-79

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update the Master Plan Update to include these additional steps. The inclusion of comprehensive VNAP is especially important in light of the fact that Policy F-44, which included a VNAP commitment, may be rescinded (as discussed above in Master Plan Update Comment II.A.1). So that the public can understand the value of the VNAP as a mitigation measure, it would be helpful for the County to provide data (to the extent that it is available) on the degree of compliance with the VNAP – is this program a meaningful mitigation measure or it something on paper only that aircraft operators routinely ignore? Since the Carlsbad community so fundamentally depends upon the success of the VNAP, it is important to understand whether it has been successful in the past, whether the County expects the level of compliance to increase or decrease, and what further actions, if any, that the County plans to take to ensure compliance to the maximum extent permitted by law. We expect that the mitigation section will include a commitment by the County to encourage and pressure users for compliance with the VNAP to the extent allowed by federal law.

L3-79

**23. Section 2.5.1.1 Transportation and Traffic – Study Area) (p. 2-101)**

Please note that reference is made on p. 2-102 to “Oak Ridge Way” but no such road exists in the area.

L3-80

**24. Section 2.5.2.6 (Regulatory Setting) (p. 2-105)**

This Section correctly notes that Palomar Airport Road from I-5 to College Boulevard and from El Camino Real to Melrose Drive are exempt from the City’s vehicle Level of Service (“LOS”) standards (see p. 2-106). This intersection is instead governed by Policy 3-P.11 of the Carlsbad Mobility Element (p. 3-30), which identifies the need to implement both Transportation Demand Management (“TDM”) strategies and Transportation System Management (“TSM”) strategies in this location.

L3-81

To mitigate the impacts of the Proposed Project on traffic at this intersection, the City requests that the County develop a site/employer-based TDM plan, and that the County document the TDM activities that they are or will be implementing in conjunction with both the site/employer and operational activities of the airport.

**25. Section 2.5.4.1 Performance of Circulation System (p. 2-108 – 2-109)**

At the bottom of page 2-108, the language states that “The Proposed Project will not augment the non-commercial uses at the airport and therefore, non-commercial land uses did not need to be accounted for in the trip generation projections.” As a general matter, as with our comments on other DEIR sections, we do not believe it is appropriate for the transportation analysis to omit from its analysis trips that may be generated by non-commercial land uses. As one example, the Master Plan Update at page 3-24 clearly states that based aircraft at the Airport is projected to increase, presumably resulting in an increase in vehicle trips associated

L3-82

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with based aircraft use. Please explain why the DEIR does not include vehicle trips from non-commercial activities in its transportation analysis.

L3-82  
cont.

**26. Section 2.5.4.1 Performance of Circulation System (p. 2-108)**

In the third paragraph of page 3-59, the DEIR refers to transportation improvements recommended in the Airport Multimodal Accessibility Plan (AMAP) and the Regional Aviation Strategic Plan (RASP), prepared by the SDCRAA; however, these improvements are not described in this transportation section. Please identify what the recommended improvements are and how they relate to the Master Plan Update and relevant sections of the City’s General Plan.

L3-83

**27. Section 2.5.4 Cumulative Impact Analysis (p. 2-112)**

As noted above with regard to Table 1-4, a number of projects identified by the City for the cumulative impacts analysis do not appear to have been included in this study. Please explain this omission.

L3-84

**28. Section 2.5.6 (Transportation and Traffic – Mitigation Measures) (p. 2-114)**

a) M-TR-1: Palomar Airport Road / El Camino Real Intersection: Section 2.5.6 describes that “Cumulative impacts would be mitigated below the level of significance by financially contributing a fair-share payment to the City of Carlsbad towards the installation of signal improvements along Palomar Airport Road or other Transportation System Management strategy to improve signal operations....this would equate to an estimated fair-share payment of 7.5 percent...” (p. 2-114). The City concurs with this mitigation measure.

L3-85

b) M-TR-2: Palomar Airport Road / Camino Vida Roble Intersection: Per Policy 3-P.10 of the Carlsbad Mobility Element, this intersection is not exempt from the City’s vehicle LOS standards, and therefore the appropriate mitigation measure would be to reconfigure the intersection. The DEIR should include an improvement to the intersection to mitigate impacts, and the County should contribute a lump sum payment of 10.7 percent of the cost of this mitigation measure. Alternatively, the County may request that the Carlsbad City Council approve adding this intersection to the list of street facilities exempt from LOS standards, and follow the approach set forth above with respect to the intersection of Palomar Airport Road and El Camino Real, utilizing a cost-share rate of 10.7 percent rather than 7.5 percent.

L3-86



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**C. Chapter 3 Environmental Effects Found Not to be Significant**

**1. Table 3.1.2-6 (Future Project Emissions from Operational Activities) (p. 3-26)**

Please provide operational emissions in pounds per day, rather than tons per year, as this is the measurement referenced in the significance threshold. (See Section 3.1.2.3 [Analysis of Project Effects and Determination as to Significance] [p. 3-14])

It appears that the analysis outlined in this table is based solely on future commercial flight operations, not all flight operations (which would also include general aviation activities). The omission of general aviation operations from this analysis provides an artificially low total emissions result. Please update this analysis to consider emissions from both commercial and general aviation operations.

L3-87

Additionally, the City has concerns regarding the reliability of the future baselines included in this table, as they are dramatically lower than existing emissions totals. Table 3.1.2-1 (p. 3-23) indicates that existing carbon monoxide emissions total 1,111.54 tons per year (or 6,090 pounds per day, far in excess of the 550 pounds per day significance threshold). The projected emissions totals set forth in Table 3.1.2-6 are significantly lower than these numbers. Please provide a more comprehensive discussion regarding the methodology for reaching these numbers, and as noted, include general aviation emissions also in these totals.

L3-88

**2. Table 3.1.2-7 (Project-related Emissions from Operational Activities) (p. 3-26)**

The notes to this table explain that the “Proposed Project’ is defined as only aircraft operations associated with commercial activity from PAL 2 (since the County has discretion over approval of commercial air service leases). As discussed above with respect to noise impacts and the project emissions set forth in Table 3.1.2-6, this approach seems to underestimate actual airport impacts, as general aviation operations are being omitted. We note that future airport improvement projects benefit, and therefore likely attract, growth of all aircraft operations, not just commercial flights. Please ensure that the DEIR analyzes impacts of all operational activities – commercial and general aviation.

L3-89

**3. Section 3.1.4.2.5 (Expansive Soils) (p. 3-41)**

This Section provides that “The CBC [California Building Code] requires that the Proposed Project, both airfield and landside improvements, comply with the building permit or with the Building Code in effect when final design plans are submitted.” (p. 3-42) The City wishes to clarify that airport buildings are subject to any and all codes and standards adopted by the City of Carlsbad, including local amendments, except for those buildings owned, leased or occupied by the County, State, or by federal agencies. This authority is grounded in Chapter 1 of the California Fire and Building Codes. With respect to the airport, the County’s jurisdiction is therefore over the Airport Terminal, the Aircraft Rescue and Firefighting facility, the

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Maintenance and Operations Building and the Administrative Office Building. All other airport buildings and hangars are the responsibility of the City of Carlsbad Fire and Building Departments for the purposes of plan review, permit issuance and construction inspections. Please ensure that the DEIR clarifies this distinction.

L3-90  
cont.

**4. Section 3.1.5 Greenhouse Gas Emissions (p. 3-53)**

We have the following comments on the GHG emissions analysis.

a) The DEIR’s regulatory environment section should be revised to describe the applicable provisions of the Air Resources Board’s 2017 Scoping Plan<sup>2</sup> and San Diego County’s Final Climate Action Plan (CAP),<sup>3</sup> which was adopted on February 14, 2018. The 2017 Scoping Plan sets forth the state strategy to achieve SB 32’s GHG reduction target of reducing GHG emissions to 40% below 1990 levels by 2030, including strategies for stationary and mobile source GHG emissions. Similarly, the County CAP presents strategies for reducing stationary and mobile source GHG emissions from County facilities such as the McClellan-Palomar Airport. Also, the regulatory environment section should be updated to describe applicable requirements of the latest version of SANDAG’s RTP/SCS, entitled San Diego Forward: The Regional Plan, which was adopted in 2015.<sup>4</sup>

L3-91

b) The GHG impact analysis uses incorrect and outdated methodologies and significance thresholds, and should therefore be revised, as discussed in detail below. Lead agencies are required to ensure that CEQA GHG impact analyses stay “in step with evolving scientific knowledge and state regulatory schemes.” *Cleveland National Forest Foundation v. San Diego Association of Governments (2017)* 3 Cal. 5th 497, 519.

L3-92

c) The GHG impact analysis repeatedly and mistakenly asserts (see, e.g., p. 3-55) that since the County has no authority to regulate aircraft or their emissions, there is no applicable methodology or threshold with which to evaluate their significance. This type of assertion misstates CEQA’s requirements and should be removed from the DEIR. Even if the County cannot directly regulate aircraft emissions, the DEIR must still disclose those emissions and address the feasibility of mitigating any significant impacts, for example through changing those airport operations which the County does control. See *Association of Irrigated Residents v. Kern County Bd. of Supervisors (2017)* 17 Cal.App.5th 708 (County was not preempted from disclosing rail operations impacts caused by refinery expansion and identifying feasible

L3-93

<sup>2</sup> [https://www.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf)

<sup>3</sup>

[https://www.sandiegocounty.gov/content/sdc/pds/ceqa/Climate\\_Action\\_Plan\\_Public\\_Review.html](https://www.sandiegocounty.gov/content/sdc/pds/ceqa/Climate_Action_Plan_Public_Review.html)

<sup>4</sup> <https://www.sdforward.com/previous-plan>

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mitigation measures, even though it was preempted from directly regulating mainline rail operations).

Moreover, the referenced ACRP Report 11 Guidebook (p.16) states that “airports can have varying degrees of influence over sources they do not own. In general, all airport tenants are affected by the assets owned and controlled by the airport operator in some way, even if loosely through airport policies. As such, the airport operator may influence each source at the airport to varying degrees, and may also be able to claim recognition/ credit for emissions reductions from those sources as well.”

L3-93  
cont.

d) The DEIR’s GHG analysis of both construction and operations emissions should be explicitly guided by CEQA Guidelines § 15064.4 which states in part that the significance of GHG emissions should be determined by whether the project increases GHG emissions as compared to the existing environmental setting (emphasis added), and the extent to which the project complies with requirements of statewide, regional or local plans to reduce GHG emissions. CEQA Guidelines § 15064.4 gives each lead agency the affirmative duty to develop its own GHG methodologies and thresholds regardless of project type. The DEIR misstates CEQA requirements when stating (p. 3-55) that “[i]n the absence of state and local GHG thresholds applicable to aviation sources and air travel,” the Draft PEIR uses CEQ guidance to analyze aviation-related GHG emissions.” The Council on Environmental Quality (CEQ) guidance for review of GHG impacts under NEPA is not applicable to the DEIR and should not be used, not only because it has been formally rescinded, but also because it is not consistent with the precise language of CEQA Guidelines § 15064.4.

L3-94

e) The CAPCOA thresholds described on DEIR pages 3-57 and 3-58 for construction impacts are outdated and inapplicable to the proposed project for several reasons, and should not be used. The CAPCOA thresholds were published in 2008, when GHG impact analysis under CEQA was still in its infancy and the governing “SB 97” CEQA Guidelines for GHG analysis had not yet been adopted. The disclaimer to the CAPCOA white paper notes that the report was prepared soon after AB 32 was adopted in 2006, and that at that time, “the full programmatic implications of this new law” were “not fully understood.” The paper was intended as a resource “in the face of incomplete information during a period of change.”

L3-95

Second, the DEIR provides no evidence that the 900 MT CO2e and 4.9 MTCO2e/SP/yr thresholds extracted from the CAPCOA paper would prevent significant GHG impacts from occurring given current scientific knowledge and state regulatory frameworks; for example, these thresholds were developed well before SB 32’s ambitious 2030 GHG reduction target of 40% below 1990 levels was enacted. To achieve this target, 2017 Scoping Plan (pp. 101-102) recommends a net zero threshold for project EIRs unless it is infeasible to achieve; a net zero threshold could be used to judge the significance of the proposed project’s construction GHG emissions unless it is infeasible to achieve.

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Further, the DEIR improperly applies an efficiency threshold (4.9 MTCO<sub>2</sub>e/SP/yr) to judge the significance of construction impacts, and this threshold should not be used. An efficiency threshold may theoretically be appropriate to apply to annual operational impacts, but not to short-term construction impacts, as the example calculations presented in the CAPCOA white paper demonstrate (see, e.g., pp. 62-64).<sup>5</sup> In addition, the DEIR improperly uses the entire San Diego County service population as a denominator when calculating the proposed project’s efficiency metric; to be accurate, it should have used the project-specific Master Plan’s service population. Lastly, the 4.9 MTCO<sub>2</sub>e/SP/yr threshold appears to be derived from AB 32’s 2020 GHG reduction target, not the more ambitious SB 32 GHG reduction target (CAPCOA white paper, p. 4).

L3-95  
cont.

f) The construction impacts analysis improperly treats each of the 16 improvement elements as a discrete project, thereby “piecemealing” impacts of the Master Plan and understating the overall construction related GHG emissions. Because GHG emissions persist in the atmosphere for many decades, it would be especially appropriate for the DEIR to add all construction emissions to determine overall construction impacts of the Master Plan. Under CEQA, a project under CEQA is defined as “the whole of the action” that may result either directly or indirectly in physical changes to the environment (CEQA Guidelines § 15378(a)). For this DEIR, the Master Plan is a single project. Therefore, construction emissions from each project element should be totaled. To avoid piecemealing, construction GHG emissions should then be added to operational GHG emissions to disclose total GHG emissions caused by the Master Plan.<sup>6</sup>

L3-96

g) For operational GHG emissions, the DEIR does not present an explicit quantitative significance threshold that is consistent with current scientific knowledge and state’s regulatory schemes. For example, consistent with the 2017 Scoping Plan, a net zero threshold could be used to judge the significance of the proposed project’s operational GHG emissions unless it is infeasible to achieve.

L3-97

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<sup>5</sup> Regarding operational impacts, the three reasons the DEIR (p. 3-58) uses for not applying an efficiency threshold to operational impacts (e.g., “[t]he EIR is programmatic”) are not persuasive, since a Program EIR is prepared for a series of actions that can be characterized as one large project. CEQA Guidelines § 15168(a). Nevertheless, in a revised analysis an efficiency threshold should not be applied to proposed project operational impacts without further evidence that it is relevant to project impacts, and would prevent significant GHG impacts from occurring given current scientific knowledge and state regulatory frameworks.

<sup>6</sup> These comments nevertheless address the validity of separate thresholds for construction and operational impacts because that is the approach used in the DEIR.

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h) The operational impact analysis improperly uses only a future baseline (future conditions without project); see, e.g., Table 3.1.5-6. However, the environmental setting (existing conditions) normally constitutes the baseline by which the lead agency determines whether an impact is significant. CEQA Guidelines § 15125(a). A future baseline, if supported by substantial evidence, may also be used in addition to the existing environmental setting, but cannot be the sole baseline unless use of the existing environmental setting would be uninformative or misleading. *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal. 4th 439. The DEIR cites FAA Guidance recommending comparison of future no project and proposed project emissions (p. 3-62), but this guidance does not supersede CEQA’s requirements for also presenting an analysis using an existing conditions baseline.

L3-98

The DEIR does not demonstrate that using an existing conditions baseline would be uninformative or misleading. Proposed project GHG emissions compared to existing conditions could theoretically be calculated from information presented in the Draft Climate Change Technical report, but important information like this should not be buried in an EIR appendix where it is difficult for the average reader to locate and understand. See, e.g., *California Oak Found. v. City of Santa Clarita* (2005) 133 Cal.App. 4th 1219. Therefore, the DEIR text should be revised to include an operational GHG emissions impact analysis using existing conditions as a baseline.

i) Even under a future baseline, the GHG increases from operational activities are quite large (as shown in Table 3.1.5-6. a net increase of 13,469 MTCO<sub>2</sub>e/yr under Scenario PAL 1, and 24,115 MTCO<sub>2</sub>e/yr under Scenario PAL 2). Using an existing conditions baseline would add an additional 15,290 MTCO<sub>2</sub>e/yr to these increases (Table 3.1.5-5 total minus Table 3.1.5-1 total). These large increases should be considered significant impacts; the DEIR presents no convincing reasons why they should not be considered significant. Further, the analysis does not appear to include existing and future emissions by all of the various FBOs/tenants, and thus does not provide a complete picture of airport related GHG (see, e.g. Table 3.1.5-2); the DEIR should explain these omissions.

L3-99

j) The Draft PEIR (p. 3-63) uses conflicts with applicable plans, policies, and regulations for reducing GHG emissions as a significance threshold for operational emissions, but the one paragraph analysis is conclusory and fails to address conflicts with two highly-relevant plans -- the 2017 Scoping Plan and the County CAP. The DEIR should be revised to disclose these conflicts and the associated significant impacts.

L3-100

The proposed project’s combined construction and operational GHG emissions should be considered significant because they are inconsistent with the 2017 Scoping Plan. The proposed project’s large GHG emissions increases are inconsistent with the state’s ability to achieve the steep declines in GHG emissions called for in the 2017 Scoping Plan, and the proposed project fails to explicitly incorporate stationary and mobile source GHG reduction strategies described in the 2017 Scoping Plan.

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The proposed project’s combined construction and operational GHG emissions should also be considered significant because they appear to be inconsistent with the adopted County CAP. The Draft PEIR does not disclose whether the proposed project’s emissions are included in the County CAP emission projections. It appears the County CAP excluded McClellan-Palomar Airport from its County Operations Greenhouse Gas Emissions Inventory (see County CAP Appendix B, Table 3). If airport GHG emissions are not covered by the County CAP, it becomes even more important that GHG emissions are properly analyzed as significant as part of the DEIR, and mitigated.

Also, to help determine consistency with the County CAP, the DEIR should disclose whether the proposed project incorporates any of the following the following County CAP measures designed to reduce GHG emissions from County facilities:

- T-2.3 Reduce county employee VMT
- T-3.2 Use alternative fuels in County projects
- T-3.4 Reduce the County’s fleet emissions
- E-1.4 Reduce energy use at County facilities
- E-2.4 Increase use of on-site renewable electricity generation for County operations
- W-1.3 Reduce potable water consumption at County facilities

k) Based on the above comments, the proposed project’s GHG emissions impact appear to be significant. The DEIR should therefore be revised to reach this conclusion and then present feasible measures or alternatives to avoid or substantially lessen this impact. Potentially feasible mitigation measures can be derived from the County CAP GHG reduction measures listed above, from City of Carlsbad’s adopted Climate Action Plan, and from the San Diego Forward Final EIR (e.g., Mitigation Measure GHG-4H). In addition, Section 4 of the Draft Climate Change Technical Report offers a number of GHG reduction mitigation measures that the County could implement as part of the Master Plan. These include electric-powered Ground Power Units and Ground Support Equipment, both of which the Technical Report considers to be potentially feasible.

l) The DEIR also fails to include a quantitative energy impact analysis, either as part of the GHG section or in a stand-alone analysis, as required by CEQA Guidelines Appendix F and case law interpreting Appendix F requirements. An EIR must quantify a project’s energy impacts, and then determine whether a proposed project may result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy. See, e.g., *Tracy First v. City of Tracy (2009)* 177 Cal. App. 4th 912; *California Clean Energy Com. v. City of Woodland (2014)* 225 Cal.App.4th 173. These cases require that a project’s increases in electricity, natural gas, and gasoline consumption must be quantified and included in the DEIR;

L3-100  
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energy assumptions embedded in air quality and GHG emissions calculations, or statements indicating the project will comply with applicable building codes, are insufficient.

L3-102  
cont.

An energy impact analysis should be added to the DEIR. If the analysis determines that the proposed project’s energy impacts are significant, then the DEIR should present feasible mitigation measures, many of which could be the same as discussed for GHG impacts above.

m) Under CEQA Guidelines § 15088.5, a DEIR must be recirculated for additional public review if “significant new information” is added in a way that deprives the public of meaningful opportunity to comment on a substantial adverse effect or feasible ways to mitigate or avoid such an effect that the project proponent declines to implement. Based on the above comments, significant new information that should be added to the Draft PEIR includes:

- Major revisions to the construction and operations GHG impact analysis. GHG emissions will likely be a new significant impact once appropriate significance thresholds are employed.
- Evaluations of potentially feasible mitigation measures to reduce the proposed project’s significant GHG impact.
- Addition of a quantitative energy impact analysis and evaluations of feasible energy mitigation measures if energy impacts are significant.

L3-103

Therefore, the County should consider whether the DEIR needs to be revised and recirculated.

**5. Table 3.1.7-1 County-Owned Land (p. 3-82)**

This table lists 82.67 acres of vacant property to the east of El Camino Real, but as previously discussed in this letter, the existing MALSR are located in this area. The City therefore suggests adding a footnote to this table, clarifying that this “vacant” property is the location of the MALSR.

L3-104

Further, Section 3.1.7.1 (Existing Conditions), in describing the area outlined in Table 3.1.7-1, explains that the “County also owns a vacant 203-acre parcel located east of El Camino Real; however, this parcel is not included in the Proposed Project since no improvements are identified by the Airport Master Plan Update.” (p. 3-81) Please update this Section to explain that this is the location of the MALSR and planned MALSR relocation.

**6. Section 3.1.7.1.1 (Land Use and Planning – Existing Land Uses) (p. 3-82)**

L3-105

Section 3.1.7.1.1 provides that “The airport is bounded to the east by El Camino Real, and further east lies a County-owned parcel that contains a mixture of existing industrial uses,

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vacant fallow lands, and existing open space granted to the City under a conservation easement.”<sup>7</sup> (p. 3-82 - 3-83) This conservation easement applies to property located to the northeast of El Camino Real and Palomar Airport Road, in the vicinity of the existing MALSRS system. Please discuss whether the proposed relocation of the MALSRS will impact the land subject to the Conservation Easement, and if so, how the County will address this impact. (Please also refer to DEIR Comment II.B.6, above, regarding the potential impacts to biological resources of relocating MALSRS in a designated preserve area.)

L3-105  
cont.

**7. Section 3.1.7.1.2 (Land Use and Planning -- Relevant Policies, Ordinances, and Adopted Plans) (p. 3-83)**

This Section describes the guidelines that should be considered in land use planning for airport improvements. In addition to the policies listed, please also include the El Camino Real Corridor Development Standards (applicable to actions that impact property facing El Camino Real), the Carlsbad Landscape Manual, and Carlsbad Municipal Code Chapter 21.95 (Hillside Development Regulations).

L3-106

**8. Section 3.1.7.1.2 (Land Use and Planning -- Relevant Policies, Ordinances, and Adopted Plans) (p. 3-83)**

This Section provides that “Section 21.53.015 [of the Carlsbad Municipal Code] would only be applicable if the County were to expand the Airport beyond its current boundaries and a City legislative enactment or City expenditure in support of such an expansion were required.” (p. 3-90) As there are varied opinions as to what actions would constitute “expansion” (the actual term used in the Code), rather than simply an enlargement of the airport beyond its current boundaries, please clarify that this is the County’s position as to the applicability of the Code. Please also clarify that a zoning change necessary for the expansion as well as a City legislative enactment or City expenditure, would trigger the applicability of this Code section.

L3-107

Similar clarification is required in Section 3.1.7.2.2 (Conflict with Applicable Land Use Plans, Policies, or Regulations) (p. 3-92), where a similar description of the applicability of Code section 21.53.015 is made.

Please also note that as individual plan components of the Master Plan Update are developed for implementation, the City will review each such project to determine whether the project prompts the need for additional approvals from the City or a public vote pursuant to Carlsbad Municipal Code Section 21.53.015.

L3-108

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<sup>7</sup> Conservation Easement Deed #2004-1123441 was authorized by the County Board of Supervisors on June 23, 2004 and subsequently approved on October 14, 2004. The document was recorded on November 30, 2004.



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**9. Section 3.1.7.1.2 (Relevant Policies, Ordinance, and Adopted Plans) (p. 3-84)**

As described on p. 3-86 of this Section, the City has adopted a Growth Management Plan, which places conditions on how growth may occur while maintaining a desirable mix of commercial, industrial, recreation, open space, and infrastructure. In connection with the Growth Management Plan, the City has been divided into 25 subareas with a unique Local Facilities Management Plan (“LFMP”) for each subarea. The airport is located within LFMP Zone 5.

L3-109

While the LFMP is referenced in this Section, no discussion is provided regarding whether the Master Plan Update is consistent with the Zone 5 LFMP. The DEIR should include such an evaluation.

**10. Section 3.1.7.1.2 (Relevant Policies, Ordinance, and Adopted Plans) (p. 3-83 – 90)**

This Section describes on page 3-87 that “As part of the proposed Airport Master Plan, the ALP would be revised to depict anticipated improvements in the 20-year planning period (2016-2036).” Please also describe how the revised ALP would trigger the need to update the Airport Land Use Compatibility Plan (“ALUCP”) (which is touched upon in Section 3.1.7.2.2 [Conflict with Applicable Land Use Plan, Policies, or Regulations] [p. 3-91]), and how this in turn may require the City to update its General Plan for consistency with the ALUCP.

L3-110

**11. Section 3.1.7.1.2 (Relevant Policies, Ordinance, and Adopted Plans) (p. 3-83 - 90)**

This Section explains that the Carlsbad General Plan “identifies the Airport with a land use designation of ‘Public’ and has the property zoned ‘Industrial.’” (p. 3-87) While this is true of the area to the northwest of El Camino Real and Palomar Airport Road, other portions of airport property to the east of El Camino Real and to the south of Palomar Airport Road have other land use and zoning designations. This description highlights the importance of providing clear definitions of the various forms of airport property, as discussed in DEIR Comment I.B, including the area owned by the County for airport uses, and the area currently within the airport fence line. Please ensure that the DEIR correctly characterizes all of the applicable land use and zoning designations.

L3-111

**12. Section 3.1.7.1.2 (Relevant Policies, Ordinance, and Adopted Plans) (p. 3-83 – 90)**

Page 3-89 of the DEIR regarding CUP 172 states “While the County has immunities from City land use requirements, including the requirement to obtain a new CUP or amended CUP, and the County hereby asserts those immunities, the County notes that design changes to the

L3-112

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Airport addressed by this Master Plan Update remain consistent with the portions of CUP-172 that have not been rendered moot by the FAA.”

L3-112  
cont.

The DEIR is required to provide an independent evaluation of the impacts of a project, not simply state legal conclusions of the project sponsor. Please provide an independent analysis of the basis for this statement.

**13. Section 3.1.7.2.2 ((Conflict with Applicable Land Use Plan, Policies, or Regulations) (p. 3-91 - 93)**

This Section provides that “Because the Proposed Project site is owned by the County, it is not subject to the land use plans and policies or municipal code of the City of Carlsbad, except where identified” (p. 3-91) and notes that “Future County public infrastructure improvements as part of the Proposed Project are not subject to City of Carlsbad regulations as further discussed earlier in this section. In an effort to ensure coordination with the City, the County looks to leasees [sic] to obtain approvals of private development on leaseholds wherever necessary but reserves the right to assert available immunities on behalf of tenants.” (p. 3-92)

L3-113

As discussed in DEIR Comment II.C.6 above, the City wishes to clarify that airport buildings are subject to any and all codes and standards adopted by the City of Carlsbad, including local amendments, except for those buildings owned, leased or occupied by the County, State, or by federal agencies. The City also retains jurisdiction over private development within County-owned buildings; if a private tenant within the airport terminal building sought to introduce a use not contemplated by CUP 172, such use would require City approval in the form of an amendment to CUP 172. Please ensure that the DEIR clarifies this distinction between the City and County’s respective land use authority.

**D. Chapter 4 Project Alternatives**

**1. Section 4.4.2.4 (Land Use) (p. 4-8)**

This Section explains that “the D-III Full Compliance Alternative [which would require approximately 22 acres of property acquisitions] would introduce new impacts associated with land use that would not otherwise occur under the Proposed Project.” Please also discuss how this alternative, in expanding the airport boundaries, may trigger the need for additional approvals from the City or a public vote pursuant to Carlsbad Municipal Code Section 21.53.015.

L3-114

**Response to Letter L3****City of Carlsbad**

- L3-1** This comment indicates City of Carlsbad comments are enclosed. The County recognizes and appreciates the long-standing working relationship with the City, and the history of coordination between our two agencies. As explained throughout these responses, various revisions to the PEIR and Master Plan Update have been made, where applicable. No further response is required.
- L3-2** The comment cites the beginning of remarks and corrections to the Master Plan Update. No response is required.
- L3-3** The comment includes remarks regarding the boundaries of McClellan-Palomar Airport (Airport). Figures provided in the Master Plan Update adequately identify which boundaries are part of the Airport or property owned by County Airports.
- L3-4** The comment requests for the Master Plan Update to include both the current and proposed Airport Layout Plan (ALP), including Airport property boundaries. Following FAA guidance (Advisory Circular 150/5070-6B), the ALP is not required to be included in the Master Plan Update. Upon decision by the County Board of Supervisors on the alternatives in Master Plan Update, a revised ALP will be prepared consistent with the Board's selected alternative. The ALP will include a property inventory.
- L3-5** The comment seeks clarification whether the County is proposing aeronautical use changes to surrounding Airport-owned properties. At this time, the County is not proposing any changes in land designations or uses. All County-owned properties are proposed to remain under the same aeronautical or non-aeronautical uses as shown on the current ALP. However, it is important to clarify that the Eastern Parcel (located at northeast intersection of El Camino Real and Palomar Airport Road) currently maintains an existing navigational lighting system that would be relocated once runway improvements are proposed that would affect the lighting distances. Although owned by County Airports, the Eastern Parcel is not currently designated for aeronautical uses. In general, non-aviation use property may provide support for items such as navigational aids and obstruction lights.
- L3-6** The comment clarifies that the term "Airport" should not be used to refer to an entity. The Master Plan Update has been revised to use the term "Airport" only when referring to the facility, and the terms County, County Airports, or Airport Sponsor are used to describe the airport operator.
- L3-7** "Modifications to standard" will be considered and approved by the FAA at the time the ALP is submitted for approval. While it has not been possible to get an earlier approval of proposed modifications to standard from the FAA, the County has been careful to ensure all proposed modifications are approvable. The modifications to standard that will be sought with each alternative are set forth in the Master Plan Update. These modifications are sought primarily to avoid impacts on small portions of private properties north of the current Airport fence line property boundary.
- L3-8** The comment cites the beginning of remarks to Runway Protection Zones (RPZs). The County acknowledges these introductory remarks, and please refer to **Response to Comments L3-9 through L3-11** below.
- L3-9** The comment asks the County explain which FAA policies dictate permissible land uses within RPZs, whether the County intends to seek land use restrictions within RPZs, whether

the County will seek to acquire property, and if any restrictions would be imposed within non-compliant RPZs. Compatibility of land use in RPZs is the responsibility of the San Diego County Regional Airport Authority (SDCRAA) serving as the region's Airport Land Use Commission, and ultimately the City of Carlsbad as the municipality governing zoning and land use within the City. The Master Plan Update and the resultant ALP will not establish land use restrictions in RPZ areas. The County does have responsibilities as the recipient of funding from the FAA to address compatible land use in RPZ areas and will take action consistent with FAA requirements. FAA requirements addressing RPZs are discussed in FAA Advisory Circular 150/5300-13A. Consistent with these requirements, FAA encourages an airport sponsor to make an effort to acquire property interests in areas subject to RPZs. Where it is not feasible to obtain a sufficient property interest, the County would work with the SDCRAA and City to encourage that compatible land uses are ensured through zoning or other land use restrictions. It is unclear from the comment how the City defines "non-compliant" RPZs. All RPZs would comply with FAA requirements; however, at this time it would be speculative to identify whether future land uses would be incompatible with the Airport RPZs. Similarly, at this time it is unknown whether FAA would require the County to seek land use restrictions within the RPZs, and what authority the FAA would execute to enforce such a request.

**L3-10** The comment requests the County to address how land acquisition may affect the need for additional approval by the City of Carlsbad or County. As noted in the previous response to Comment Letter L3, the County will make an effort to seek property interests in RPZs in a manner that is consistent with FAA requirements. These interests could range from acquisition of fee title to an easement acceptable to the FAA. Property acquisition is considered in the Master Plan Update as a means of ensuring compatible land use within RPZs. However, RPZs are not proposed for acquisition in the Master Plan Update for the purpose of expanding Airport facilities. Since RPZ acquisition would only be proposed as a means of ensuring land use compatibility, it does not qualify as an expansion of the Airport that would trigger City approval or Carlsbad Municipal Code section 21.53.015. As discussed in **Response to Comment L3-9**, the SDCRAA is the agency responsible for identifying land use compatibility once a project alternative is selected and the ALP is prepared.

**L3-11** The comment requests an explanation how the RPZ areas could change under the Master Plan Update, including any consequences associated with CUP 172. As published with the recirculated portions of the Draft PEIR, the County developed exhibits showing possible RPZ boundaries based on the various project alternatives. These exhibits are intended to show the range of possible RPZ locations and dimensions. Ultimately, the location and extent of the Airport's RPZs will be reflected in the FAA-approved ALP.

With regard to CUP 172 and CUP 172B, the location of land within RPZs does not require a use permit or use permit amendment. The identification of land within an RPZ does not establish a use by the County. Private property owners may continue to own and use properties in RPZ. The acquisition of a property interest by the County within an RPZ may similarly have no effect on existing uses. Compatible land uses on private property may continue subject to a County easement.

**L3-12** The comment notes that aircraft larger than B-II have been using the Airport, and asks whether it would be unsafe for the Airport to continue to accommodate aircraft larger and faster than B-II until improvements are made. The FAA uses Airport Reference Codes (ARC) to establish design standards for airports. When selecting an ARC, the FAA requires airport sponsors to use the ARC for the most demanding aircraft or group of aircraft with 500 or more annual operations at the airport. For McClellan-Palomar Airport, the current

design critical aircraft is ARC D-III due to the number of D-III aircraft currently using the Airport.

It should be clarified that an ARC for an airport is a planning tool. The safe use of an airport by aircraft is dependent on a range of factors, many of which do not rely on an airport's ARC. For example, the weight and technical specifications of an aircraft can influence operational conditions such as safe stopping distance, so that a larger and faster D-III aircraft with a more modern braking system can stop in a shorter distance than a B-II aircraft. It is, accordingly, inaccurate to directly translate ARC into a safety requirement for airfield design. However, achieving FAA design standards for the design critical aircraft would provide a wider safety margin for aircraft that an airport is designed to accommodate. Aircraft meeting the classification of D-III can safely operate at a B-II airport.

The comment also includes remarks asking the County to address the safety benefits of a runway extension and whether there is a safety mandate from the FAA. The comment notes that the Master Plan Update requests the County to distinguish these benefits from business or user-enhancement benefits.

The goal and intent of the Master Plan Update is to better accommodate existing Airport users. Meeting FAA design standards and providing greater runway length for these users will provide both an increased margin of safety and greater efficiency. Aircraft classified as C-III and D-III currently using the Airport cannot takeoff with maximum fuel loads. This may require operators of these aircraft to schedule additional refueling stops for longer range flights. This is both inefficient and potentially creates greater safety risks by necessitating additional landings and takeoffs to refuel. In addition, as the comment notes, additional paved surface does provide greater safety by providing additional stopping distance for aircraft with greater weight or loading factors. Increasing runway length is a County safety and operational efficiency objective of the Master Plan Update.

The County agrees with the City that there would be added safety benefits from a runway extension as proposed in the Master Plan Update. However, the County does not agree that additional analysis is required to address the impacts of the runway extension on aircraft users when one takes into account limits placed on growth by the Master Plan Update. The Master Plan Update makes no provision for the acquisition of additional land for parking, hangars, or other airport facilities. This is because the users to be accommodated are already using the Airport or can be accommodated by existing facilities. No further studies are warranted to demonstrate the benefits of the Master Plan Update.

- L3-13** This comment notes that the PEIR does not address whether environmental review is needed pursuant to the National Environmental Policy Act (NEPA). The comment requests the County to disclose whether NEPA documentation would be prepared for the Master Plan Update. While the FAA does not take a discretionary action on the Master Plan Update, FAA is expected to "conditionally approve" the ALP associated with the selected alternative after the ALP is prepared and submitted to FAA. At that time (when subsequent discretionary approval of the ALP or individual projects is taken by the FAA, the County would work with the FAA to conduct the necessary environmental review pursuant to NEPA. However, no NEPA documentation is required for the County's decision to proceed with approval of the Master Plan Update. The public would be informed of any opportunity to participate in preparation of NEPA documentation, if applicable, as required by the FAA.
- L3-14** The comment states that several exhibits, tables, and references in the Master Plan Update contain incorrect labeling, numbering, or other errors. The County appreciates the comment and has reviewed and revised the Master Plan Update to ensure consistency.

- L3-15** The comment includes an excerpt from the Master Plan Update stating that approval of the Master Plan Update could make the County Board of Supervisors Policy F-44 obsolete, and the Board of Supervisors may determine that Policy F-44 should be repealed. The comment asks whether a potential repeal of Policy F-44 would be an action that needs to be evaluated in the PEIR. At this time the Master Plan Update does not propose changes to the number of passengers allowed by Policy F-44. For a discussion of the forecasted critical aircraft, please refer to Section 3.10.3 of the Master Plan Update as well as Sections 3.9 and 3.10 for a discussion of air carrier operations forecast during the next 20-year planning period.
- L3-16** The comment states that although FAA has no objections if the County chooses to use a forecasted Planning Activity Level (PAL), this does not address the question of whether the FAA has formally approved the use of any forecast other than the Terminal Area Forecast. The County acknowledges this comment; however, it does not raise an issue concerning the analysis or adequacy of the PEIR pursuant to CEQA Guidelines Section 15088. Therefore, no further response is required.
- L3-17** The comments asks the County to explain “why the forecasted passenger enplanement level is so high.” Please refer to various sections of the Master Plan Update that describe the forecasted enplanements including, but not limited to, Section 3.7 (Passenger Enplanement Forecasts) and Section 3.10.5 (Facility Planning Forecast). Furthermore, this comment does not raise an issue concerning the analysis or adequacy of the PEIR pursuant to CEQA Guidelines Section 15088. Therefore, no further response is required.
- L3-18** The comment references other commercial airports throughout the United States and asks several questions to justify the projected increase in commercial activity. Please refer to **Response to Comment L3-17** for discussion of how the forecasted passenger enplanement levels were developed.
- L3-19** The comment asks the County to clarify whether the Master Plan Update would induce demand at the Airport. The comment requests the County to disaggregate the forecast to the show the different factors attributing to induced aircraft operations. As discussed in the Master Plan Update, changes in operational levels are expected to increase annually at a modest level as compared to the previous planning period. The forecast scenarios include assumptions about the increase in aircraft operations and are not dependent on airfield capacity improvements or other infrastructure improvements. Rather, the forecast scenarios were developed to anticipate foreseeable demand for Airport facilities and infrastructure. As a result, this would help identify which facilities should be improved to meet the projected forecast. In other words, the incremental increase in aircraft operations projected in the Master Plan Update is expected to naturally occur throughout the 20-year planning period whether or not the Master Plan Update is implemented. Therefore, it can be concluded that the Master Plan Update would not induce the forecasted aircraft operations. Also, please refer to **Master Response 9 (Increase in Aircraft Operations)**.
- L3-20** The statement from the Master Plan Update as quoted in this comment was not incorporated in the PEIR’s assumptions or quantified analysis. While there may be environmental benefits from aircraft no longer needing to refuel at a local or regional airport, this efficiency was not assumed in the PEIR’s calculated air quality analysis. No further response is required, and no changes were made to the PEIR in response to this comment.
- L3-21** The comment requests detailed information regarding the location, length, and height of retaining walls associated with the Master Plan Update. As noted in the PEIR, the Master Plan Update is a long-term planning document, and the exact scope, scale, and timing for implementation of each project-specific element will be determined once funding is

- identified for project design engineering and construction. Therefore, the associated environmental impact for each element, and the Master Plan Update as a whole, is analyzed at a programmatic level for the purpose of environmental analysis. Additional analysis under CEQA will be required for projects at the time that they are designed and proposed. As such, the project-specific details of a potential retaining wall has not been defined at this time. As funding is identified for project engineering design and construction of individual Master Plan Update elements, additional analysis under CEQA would be conducted at the time that they are proposed, and the County would coordinate with the City of Carlsbad, as applicable.
- L3-22** The comment asks the County to assess the applicability of the City of Carlsbad Hillside Development Regulations and Landscape Manual. The comment also requests the City to review, comment, and approve plans for hillside grading, retaining walls, or screening. Please refer to **Response to Comment L3-21**. Accordingly, the County is not required to include these regulations in the Master Plan Update. However, as part of project-specific elements in the future, the County is amenable in coordinating with the City of Carlsbad, as applicable, to provide review and input on project elements that may involve modification to slopes surrounding the Airport.
- L3-23** This comment notes that the City of Carlsbad provided additional comments further below on the potential retaining wall under the PEIR comments. Please refer to **Response to Comments L3-46 through L3-54**.
- L3-24** The comments asks the County to provide a more detailed description of how project costs are anticipated to be met if FAA funding cannot be secured for certain components. At this time, the County cannot speculate which elements would be funded in part by FAA, and when those elements would be proposed.
- L3-25** The comment assumes that a retaining wall would likely be required if future general aviation parking is constructed as depicted in the Master Plan Update Exhibit 5.10. The comment requests the Master Plan Update to state where the retaining wall would be needed. Whether the future general aviation parking would require a retaining wall is still to be determined as the project-specific engineering design has been not completed. Please refer to **Response to Comment L3-21**. The County concurs with the commenter's request to continue to coordinate with the City of Carlsbad to allow review and comment once engineering design plans for a retaining wall and any landscaping are available. It is the County's intent to follow the City design guidelines for the corridor while balancing the requirements for the Airport and the inactive landfill. However, ultimate approval and implementation of the plans would be retained by the County, FAA, and agencies with regulatory authority.
- L3-26** The comment requests the Master Plan Update, Table 5.1, to identify potential retaining walls as project-specific elements. Please refer to **Response to Comment L3-21**. Furthermore, any potential retaining walls would be considered as part of the engineering design process and would not be identified as a standalone project element.
- The comment also requests that cost estimates be included in the Master Plan Update for the general aviation parking improvements. As the exact scope and scale for this element have not been fully defined, the County is unable to speculate the potential cost associated with the general aviation parking improvements. Please refer to **Response to Comment L3-21**.
- L3-27** The comments states that near-term slope improvements should be contemplated by the County as part of the overall program, rather than solely as part of mitigation. As noted

above, slope improvements would be design and identified once the associated project-specific elements are proposed. Furthermore, the Master Plan Update does not include elements specifically for the existing slopes. Rather, the Master Plan Update and associated PEIR were prepared to analyze the Airport's future while enhancing operations and safety. As such, the County is not required to analyze existing conditions where no changes are proposed. Regarding comments on the PEIR, please refer to **Response to Comments L3-46 through L3-54**.

**L3-28** The comment cites the beginning of remarks and corrections to the Draft PEIR. No response is required.

**L3-29** The comment requests a comprehensive outline of the components of the Proposed Project to compare with the alternatives considered. The County acknowledges this comment; however, the County disagrees that the Proposed Project's components are not adequately described in the PEIR. The Proposed Project is described in detail in the PEIR Section 1.2, and individual project elements are discussed across the near-term, intermediate-term, and long-term subsections. Furthermore, the PEIR identifies on the Summary page S-4 that the Proposed Project is reflected in the Master Plan Update as the D-III Modified Standards Compliance Alternative. No changes have been made to the PEIR.

**L3-30** This comment asks the County to distinguish which property is considered part of the Airport boundary as compared to County-owned property. Revisions were made in the Final PEIR to further clarify which properties are County-owned, and which of those properties are part of the active airfield or Proposed Project. Please refer to the Final PEIR, including Chapter 1, Figure 1-6, and Chapter 3.1.7.

**L3-31** The comment requests an explanation why the RPZ over the Eastern Parcel is not included the PEIR study area. Please refer to **Response to Comment L3-9**. Furthermore, no physical improvements or impacts would occur by identifying current or future RPZs for planning purposes. No changes were made to the PEIR.

**L3-32** This comment notes that relocation of the Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR) would occur on the Eastern Parcel outside of the study area shown in the Draft PEIR. The comment requests the Draft PEIR be revised to analyze potential impacts of the MALSR relocation. The County concurs with this comment and, upon further review of the MASLR relocation, determined new significant impacts would occur to Biological Resources. As such, the PEIR Biological Resources chapter was recirculated for public review from June 21, 2018 – August 6, 2018. Comments received from the City of Carlsbad on the recirculated chapter are addressed under **Comment Letter R-L3**. Minor revisions to the PEIR citing the MALSR improvements on the Eastern Parcel are included in the Final PEIR; however, these minor revisions do not constitute new information pursuant to CEQA Guidelines Section 15088.5(a).

The comment also requests the study area to include the RPZ on the Eastern Parcel. Please refer to **Response to Comment L3-31** above.

**L3-33** The comment notes that environmental review pursuant to NEPA is not discussed in the Master Plan Update or PEIR. Please refer to **Response to Comment L3-13**, which states that no NEPA documentation is required for the County's decision to proceed with approval of the Master Plan Update.

**L3-34** The comment requests for the PEIR to add a list of related environmental review and consultation requirements in the Project Description. The PEIR does include a list of



environmental regulations and respective agencies in Table 1-3. No changes were made to the PEIR.

- L3-35** The comment asks the County to explain whether the runway extension is not eligible for FAA AIP funding because a longer runway is not required by FAA Design Standards for a D-III airfield. The County acknowledges this comment; however, it does not raise an issue concerning the analysis or adequacy of the PEIR pursuant to CEQA Guidelines Section 15088. Therefore, no changes were made to the PEIR, and no further response is required.
- L3-36** The comment requests for the County to ensure that the PEIR describes all physical improvements required in connection with the MALSR relocation. Please refer to **Response to Comment L3-32**. No further response is required.
- L3-37** This comment states that the City of Carlsbad maintains land use authority for private development on County-owned airport land and is responsible for issuing building permits for such non-public use structures. The comment also states that Airport improvements are subject to CUP 172 and CUP 172(B). Whenever possible consistent with the County's obligations to the federal government as a grant recipient, the County will endeavor to voluntarily seek approvals from the City and require its tenants and contractors to seek approvals from the City as a means of coordinating airport development with City land use requirements. The County, however, has immunities from City building and zoning ordinances and cannot waive those immunities without risking a violation of its federal sponsor assurances<sup>1</sup>. While these immunities apply to projects by the County and other public agencies, they can also apply to projects by airports lessees and contractors<sup>2</sup>. The County will, accordingly, continue to voluntarily comply with CUP-172 and seek to require its airport tenants and contractors to comply with CUP-172, but reserves the right to assert immunities on its behalf and on behalf of its tenants and contractors to the extent provided by applicable law when necessary to comply with federal sponsor obligations or to meet County objectives. The PEIR Section 1.3 has been revised to clarify this discussion as similarly noted in Section 3.1.6.1. Please refer to the Final PEIR.
- L3-38** The comment includes an excerpt from the PEIR Section 2.1.1, which states that the County's Zoning Ordinance does not apply to the Proposed Project. The comment asks for clarification whether there are land use regulations applicable to the Airport. The PEIR Section 2.1.1 was intended to note that because the Airport is located within the City of Carlsbad, the County does not have a zoning or General Plan land use designation for the Airport.

However, the Master Plan Update will serve as the facility plan which identifies land uses at the Airport. In addition, the County applies policies pertaining to County airports and other facilities from the County General Plan. Local land use policies are also reviewed and will be considered whenever possible consistent with the County's obligations to the federal government as a grant recipient. Nonetheless, the County still retains land use authority over the Airport.

Furthermore, as described in the PEIR Section 3.1.7.1.2, the Airport is located on County-owned property within the municipal limits of the City of Carlsbad and is zoned Industrial (M) pursuant to the Carlsbad Municipal Code (CMC) Title 21 "Zoning Ordinance" (Section 21.34) and consists of government (airport) facility land uses. As noted in **Response to Comment L3-37**, the County has immunities from City building and zoning ordinances and cannot waive those immunities without risking a violation of its federal sponsor assurances.

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<sup>1</sup> See, Govt. Code § 53090, et seq. & FAA Sponsor Assurances, Assurance No. 5.

<sup>2</sup> See, *Bame v. City of Del Mar* (2001) 86 Cal. App. 4th 1350

However, the County will continue to coordinate with the City in an effort to ensure City requirements are considered. No changes to the PEIR have been made in response to this comment.

- L3-39** The comment requests for the PEIR to include a description of the Eastern Parcel and existing MALSR navigation light system. The comment also requests for this description to be included in Section 1.4.3 (Site Characteristics) instead of Section 1.4.2 (Surrounding Land Uses). The PEIR has been revised to identify the existing MALSR navigation light system on the Eastern Parcel. However, the section headings are appropriate without revision since these sections describe the land uses and characteristics associated with the active airfield. No further response is required.
- L3-40** The comment requests an explanation why a two mile search radius was chosen to analyze potential cumulative impacts. To clarify, the cumulative list was modeled after the analysis provided in Section 2.5; however, **Response to Comment L3-56** also discusses the two-mile search radius for biological resources. PEIR 1.8 has been clarified that cumulative projects were analyzed in the vicinity of the Airport.
- L3-41** The comment cites a previous County-initiated 2013 Feasibility Study for Potential Improvement McClellan-Palomar Airport Runway. Under the PEIR Section 1.9 Growth-inducing Impacts, the comment requests the County to discuss the growth findings of this 2013 study or explain why the findings of the study are not applicable to the PEIR. The County acknowledges this comment; however, it does not raise an issue concerning the environmental analysis or adequacy of the PEIR pursuant to CEQA Guidelines Section 15088. Therefore, no further response is required. This comment is included in the Final PEIR for review and consideration by the County Board of Supervisors prior to a final decision on the project.
- L3-42** The comment requests for the PEIR Table 1-3 to include that the FAA is responsible for the relocation of the MALSR navigation lighting system. While the FAA is the sole responsible agency for all aspects of navigational aid lighting systems at the Airport, the intent of Table 1-3 is to identify approvals that the County may need to obtain to implement the Master Plan Update. For example, Table 1-3 is not intended to identify other project-specific Airport facility improvements that may also involve FAA consultation and approval. Therefore, no changes have been made to the PEIR.
- L3-43** This comment requests an explanation why surrounding projects identified by the City in July 2017 were not included in the Draft PEIR. During development of the PEIR, County staff and its consultant coordinated with the City of Carlsbad Planning Department to obtain a current list of nearby development projects. The list provided by the City in July 2017 included approximately 55 surrounding projects. In consultation with City staff, they confirmed certain projects could be removed after taking into consideration each project's size and location (i.e., potential trip contribution) to determine which projects are most applicable to the PEIR's cumulative analysis. City staff further identified various projects from the County's draft cumulative list that should be removed from the PEIR's analysis since several projects were already constructed, modified, or withdrawn. During this consultation, City staff also recommended following the nearby Uptown Bressi Ranch cumulative list, which had been recently approved at the time in 2017 and was a current example when the cumulative list was created for the Master Plan Update PEIR. Therefore, the County finds that the PEIR adequately addresses surrounding development projects, and no changes to the PEIR have been made in response to this comment.
- L3-44** The comment requests the PEIR Section 2.1.1 be updated to cite that commuters potentially use Paloma Airport Road daily, resulting in repeated exposure to the Airport or to

Airport-related projects. The PEIR has been revised as noted by the comment, but it does not result in a new significant impact. Please refer to the Final PEIR.

**L3-45** The comment requests the PEIR Section 2.1.1 be updated to cite the City of Carlsbad's Landscape Manual and Hillside Development Regulations. As noted in the Landscape Manual, "[t]his manual applies to all public and private developments which require submittal of landscape plans in conjunction with a building permit, grading permit or discretionary permit." As described in the PEIR, the County has immunities from the City's land use restrictions; however, the County will continue to coordinate with the City in an effort to ensure City requirements are taken into consideration. As such, while the City's regulations (i.e., Landscape Manual and Hillside Development Regulations) do not apply to the Master Plan Update, the PEIR has been revised to note the Landscape Manual and Hillside Development Regulations as existing City regulations.

Please also refer to **Responses to Comment L3-37 and L3-38** for discussion of the County's authority to operate and maintain the Airport within the City of Carlsbad municipal boundary.

**L3-46** This comment is an introductory statement regarding the potential impact from the proposed retaining wall along Palomar Airport Road. Please see the following **Response to Comments L3-47 through L3-53** for detailed responses. Also please refer to **Comment Letter S4** from the San Diego Regional Water Quality Control Board regarding their discussion of non-permissible activities within the inactive landfill areas.

**L3-47** The comment requests detailed information regarding the height and location of the proposed retaining wall along Palomar Airport Road. As noted in the PEIR and **Response to Comment L3-21**, the Master Plan Update is a long-term planning document, and the exact scope, scale, and timing for implementation of each project-specific element will be determined once funding is identified for project design engineering and construction. Therefore, the associated environmental impact for each element, and the Master Plan Update as a whole, is analyzed at a programmatic level for the purpose of environmental analysis. Additional analysis under CEQA will be required for projects at the time that they are designed and proposed. As such, the height and location of the proposed retaining wall has not been defined at this time. As funding is identified for project design engineering and construction, the County is amenable in coordinating with the City of Carlsbad on this project element, as applicable.

**L3-48** The comment asks whether the proposed retaining wall would be constructed in two phases similar to the 200-foot and 600-foot runway and taxiway extensions. The comment also asks the vehicle service road would be modified to accommodate the retaining wall. Lastly, the comment asks the County to verify whether any retaining wall would be needed along El Camino Real to accommodate the runway extension, EMAS, vehicle service road, or runway lighting. Please refer to **Response to Comments L3-21 and L3-47**. This comment does not specifically identify a deficiency or environmental issue with the PEIR analysis or proposed mitigation. Nonetheless, the comment is correct that at this time no retaining wall is anticipated to be needed along El Camino Real to accommodate the future runway extension or other facilities. Once these project elements have been funded and engineering design plans have been prepared, additional review would be conducted. No changes to the PEIR have been made in response to this comment.

**L3-49** The County concurs with this comment, and the PEIR has been revised in Section 2.1.2.4 to cite the City of Carlsbad Landscape Manual. Also see **Response to Comment L3-45**.

**L3-50** Please refer to **Master Response 6 (Existing Airport Activity)** in which it is described that the Master Plan Update and associated PEIR were prepared to analyze the Airport's future while enhancing operations and safety, and the County is not required to analyze the Airport's current effects on existing conditions. As this comment does not specifically identify an environmental issue with the PEIR analysis or proposed mitigation, no changes have been made to the PEIR. Nonetheless, as discussed in above responses, the County is amenable in coordinating with the City of Carlsbad to identify solutions for improving the landscape conditions of the existing slopes surrounding the Airport.

**L3-51** Please refer to **Master Response 6** in which it is described that the Master Plan Update and associated PEIR were prepared to analyze the Airport's future while enhancing operations and safety, and the County is not required to analyze the Airport's current effects on existing conditions. As this comment does not specifically identify an environmental issue with the PEIR analysis or proposed mitigation, no changes to the PEIR have been made in response to this comment.

As noted in the PEIR Section 2.1.2.1, the State's published Inspection Guidance for State Minimum Standards at Closed, Illegal, and Abandoned Disposal Sites identifies guidance for maintenance of inactive landfills, including grading as discussed in Section 3 of the document. As discussed above, the scope of the proposed retaining wall has not been defined at this time, and the maintenance of the impervious surface fronting the inactive landfill slopes will be decided through consultation with the applicable jurisdictional agencies. As the funding is identified for design engineering and construction, the County is amenable to coordinating with the City of Carlsbad on project elements that involve modification to slopes surrounding the Airport.

**L3-52** As discussed in Section 2.1.2.1 of the PEIR, the Master Plan Update does not propose irrigating or landscaping the eastern slope along the inactive landfill. This section of the PEIR explains several factors that prevent implementation of irrigation and landscaping of slopes that contain inactive landfill materials. Nonetheless, as discussed in above responses, the County is amenable in coordinating with the City of Carlsbad to identify solutions for improving the landscape conditions of the existing slopes surrounding the Airport.

**L3-53** As funding is identified for design engineering and construction, the County is amenable in coordinating with the City of Carlsbad to accept input on project elements that may involve modification to slopes surrounding the Airport, including the anticipated retaining wall along Palomar Airport Road. However, as this comment does not specifically identify an environmental issue with the PEIR analysis or proposed mitigation, no changes to the PEIR have been made in response to this comment.

It is the County's intent to follow the City of Carlsbad design guidelines for the corridor to the extent feasible while balancing the requirements for the Airport and the inactive landfill. However, ultimate approval and implementation of the improvements would continue to be retained by the County.

**L3-54** The Master Plan Update does not identify specific project elements of a retaining wall associated with the future general aviation parking, and the reference in the PEIR Section 4.2.2.1 has been removed. Whether the future general aviation parking would need a retaining wall is still to be determined as the project-specific engineering design has been not completed.

The County concurs with the request to continue to coordinate with the City to allow review and comment once design plans for the retaining wall and any landscaping are available. It

is the County's intent to follow the City design guidelines for the corridor to the extent feasible while balancing the requirements for the Airport and the inactive landfill. However, ultimate approval and implementation of the improvements would continue to be retained by the County.

- L3-55** Although relocation of the existing FAA navigational aid lighting system, including the MALSR, was described in the Draft PEIR, the conceptual placement and alignment of the navigational aid structures and access road were not designed or calculated for potential impacts. Section 2.2 of the PEIR, which was recirculated for additional public comment, more fully analyzes shifts to the existing MALSR on the County-owned parcel just east of El Camino Real (Eastern Parcel) to describe the potential impacts to biological resources on the County-owned property if, or when, the FAA funds relocation of their navigational aid lighting system. Therefore, while the physical (i.e., biological) impacts had not been designed or calculated for potential impacts in the Draft PEIR, the existing MALSR lighting system is not expected to create a new source or light or glare as it is relocated with the respective runway shift. No changes to the PEIR have been made in response to this comment.
- L3-56** Most of the airport boundary is adjacent to surrounding development, with very limited connections to off-site habitat. Given the airport's relatively urbanized location, a two-mile radius surrounding the airport was considered appropriate as it includes all connections to surrounding PAMA and Preserve lands, extending far enough outward to include lands immediately adjacent to the coastline as well as more inland habitat areas. The radius includes offsite connections to the west through preserve lands at the Crossings Golf Course and continuing north to Agua Hedionda Lagoon and south into conserved slivers of habitat associated with Aviara HOA and other HOAs and private open space; as well as lands to the east extending north to include Carlsbad Oaks North as well as other preserved lands further north (e.g. portions of Carlsbad Highlands), and lands to the south and southeast including conserved lands associated with Rancho La Costa, Rancho Carrillo HOA, and La Costa HOAs. This two-mile radius includes lands that contain all habitats represented on the project site and was considered an adequate representation of area for species with potential to occur on site. No changes to the PEIR have been made in response to this comment.
- L3-57** An analysis of project impacts associated with the MALSR relocation on the Eastern Parcel was included in the recirculated portions of the PEIR. This project element would be consistent with the mitigation strategy outlined in the March 7, 2011 letter from USFWS and CDFW regarding the hardline agreement, whereby impacts to southern maritime chaparral resulting from the relocation of the MALSR on the Eastern Parcel would be mitigated at 3:1 through in-kind preservation of habitat. Further, mitigation would be subject to review and approval by the County and Wildlife Agencies once project elements are designed and proposed.
- L3-58** The intent of the Wildlife Hazard Management Plan (WHMP) is to manage and reduce the risks that wildlife pose to aircraft operations. The Proposed Project does not propose any changes to the WHMP since it is an existing plan that would continue to be utilized at the Airport regardless of the Proposed Project.

Coastal California gnatcatcher is the only federally listed wildlife species known or expected to occur at the Airport. While FESA requirements are not specifically addressed in the WHMP, the presence of coastal California gnatcatcher on site does not pose a high safety risk for airport operations, and implementation of the WHMP is not expected to result in take under the FESA for the following reasons: (1) suitable nesting habitat for the species is located in the northwest corner of the site away from the runway, (2) the species does not

congregate in flocks, (3) the species is not attracted to animal carcasses or other potential prey that could inhabit the airfield (e.g. rodents), and (4) perimeter fencing around the airport does not preclude the gnatcatcher from accessing suitable habitat or otherwise constrain its movement or prevent or adversely affect nesting.

Significant wildlife activities, as described in the WHMP, include observations of coyotes or other large mammals, large flocks of birds, waterfowl on the airport, etc. The presence of a pair of gnatcatchers does not constitute a significant wildlife hazard or pose a significant safety risk for airport operations. It is noted that the WHMP does include the requirement to obtain depredation permits from the USFWS and CDFW to control mammals and migratory birds, if deemed necessary.

- L3-59** The comment asks the PEIR to discuss whether the Proposed Project would impact coastal sage scrub in excess of the County's 5% habitat loss threshold. The Proposed Project will permanently impact 3.1 acres of Diegan coastal sage scrub (including disturbed Diegan coastal sage scrub) outside an approved NCCP (i.e., MSCP) area. As part of the NCCP process, the County was allocated 2,953.3 acres of coastal sage scrub impacts outside of the boundaries of the MSCP. This constitutes the County's five percent habitat loss allowance. As of September 2018, impacts totaling 1,316.95 acres have been recorded or are pending, leaving approximately 1,636.35 acres of allowed coastal sage scrub impacts remaining. Therefore, impacts to 3.1 acres of coastal sage scrub would not exceed the five percent threshold. Should the impact occur after adoption of the NC MSCP, conformance with the adopted plan will be documented at the time project-specific impacts are proposed. The PEIR has been revised to include this analysis.
- L3-60** McClellan-Palomar Airport is not located within the California Coastal Zone. As noted in this comment, there is a small area of the Coastal Zone immediately north of the airport. This off-airport Coastal Zone segment, which encompasses land along Palomar Point Way, is outside the footprint of the Proposed Project and would not be affected. As addressed in the PEIR Section 2.2, the Proposed Project could result in indirect construction noise related impacts to breeding coastal California gnatcatcher, and this includes gnatcatcher breeding pairs that may be located within the off-airport Coastal Zone segment to the airport's north. As described on pages 2-33 to 2-34 of the PEIR, Mitigation Measure M-BI-1b would be implemented to avoid or minimize potential indirect construction noise related impacts to coastal California gnatcatcher. The decision whether federal consistency review is required under the Coastal Zone Management Act will be made by the Federal Aviation Administration as individual project elements are proposed. Because the Master Plan Update would not directly affect resources within the Coastal Zone, and because the Proposed Project includes mitigation to avoid or minimize potential indirect effects to coastal California gnatcatcher that may be located within the segment of the Coastal Zone that is adjacent to the airport, no conflicts with the California Coastal Act's coastal resources management and planning policies are anticipated to result from the Proposed Project.
- L3-61** The property to the north, identified as APN 212-120-33 in the 2004 Carlsbad HMP, has since been subdivided and partially developed. This parcel was subject to specific habitat protection standards which included avoidance of vernal pools and minimizing impacts to vernal pool watersheds. The City's HMP conservation policies do not apply to the Proposed Project, which is on County-owned lands. However, as analyzed in the PEIR Section 3.1.6, individual improvements associated with the Master Plan Update would conform to required storm water regulations and would not substantially alter the existing drainage patterns on site. Thus, the project would have no impact to the off-site parcel or the resources reported within that parcel. In addition, the Airport is not located within the California Coastal Zone. The small area of Coastal Zone located immediately north of the airport is outside the

footprint of the Proposed Project and would not be directly affected by the Proposed Project. Because the Proposed Project would not directly affect resources within the Coastal Zone, no conflicts with the California Coastal Act's coastal resources management and planning policies are anticipated to result from the Proposed Project.

**L3-62** This comment cites the State's classification change of the inactive landfill and requests the County to discuss whether this change improves the feasibility of providing landscaping and irrigation on the Airport's existing slopes. The enhancement of existing Airport slopes are not a component of the Master Plan Update. Also, please refer to **Master Response 6** in which it is described that the Master Plan Update and associated PEIR were prepared to analyze the Airport's future while enhancing operations and safety. The County is not required to analyze improvements to the Airport's existing features that are not part of the Master Plan Update in this PEIR. Nonetheless, this classification does not change the County's obligation to comply with the State of California *Inspection Guidance for State Minimum Standards at Closed, Illegal, and Abandoned Disposal Sites* as discussed in the PEIR Section 2.1.2.1. As this comment does not specifically identify an environmental issue with the PEIR analysis or proposed mitigation, no changes to the PEIR have been made in response to this comment.

**L3-63** This comment requests the County clarify that construction would occur into the inactive landfill (not solely on top of the landfill), and to discuss potential hazards associated with the drilling construction method.

The PEIR Chapter 1 discusses installation of drilled displacement columns into the inactive landfill for support of runway or taxiway surfaces. Specifically, Section 1.2.1.3 (p.1-9) state, "*it is anticipated that drilled displacement column piles would be driven into [emphasis added] sections of the ground to support concrete slabs. The piles would extend through the landfill materials [emphasis added] until bedrock or secure material is reached... However, this conceptual layout is preliminary as project-specific engineering design plans have not been prepared at this time.*" While the PEIR and Master Plan Update discuss potential construction methods over the inactive landfill, this conceptual construction strategy is preliminary since engineering design plans have not been developed.

Furthermore, the PEIR identifies potential hazards associated with construction activities that may encounter inactive landfill materials. Please refer to Impact HZ-1 and its associated Mitigation Measure M-HZ-1.

The items raised by this comment were addressed in the PEIR, and the comment does not specifically identify an environmental issue with the PEIR analysis or proposed mitigation. Accordingly, no changes to the PEIR have been made in response to this comment.

**L3-64** The comment requests Section 2.3.2.3 of the PEIR be revised to cite that land use authority surrounding the Airport resides with the municipality. The County concurs with this comment as similarly noted in the PEIR Section 3.1.7.1.2. The PEIR Section 2.3.2.3 has been revised to cite that cities and counties with land use jurisdiction for areas around airports are required to ensure their general and specific plans are consistent with the ALUCP.

**L3-65** Please refer to **Responses to Comments L3-9 and L3-10**. As discussed, the SDCRAA is the agency responsible for identifying land use compatibility once a project alternative is selected and the ALP is prepared.

**L3-66** Please refer to **Response to Comment L3-21** regarding the programmatic analysis included in the PEIR. No changes to the PEIR have been made in response to this comment.

**L3-67** The comment states that because the Proposed Project is located within an area with an adopted airport land use plan, a supplemental noise analysis is necessary to determine whether the project would "expose people residing or working in the project area to excessive noise levels." Public use and military airports in the State of California are required to prepare airport land use compatibility plans (ALUCPs) to ensure that only compatible land uses are developed in areas around airports, thus protecting the safety of people and property on the ground as well as safeguarding the continued operation of the airport. Furthermore, ALUCPs include policies to avoid the establishment of noise sensitive land uses in areas around airports where they may be exposed to significant noise impacts. For purposes of identifying compatible land uses around airports, ALUCPs are required to include maps depicting noise contours for the airport based on forecasted operations for a 20-year planning horizon. The current McClellan-Palomar Airport ALUCP includes a noise contour based on the 1997 Master Plan reflecting forecasted operations through 2015. The 2015 forecast anticipated 289,100 operations. This is a greater number of operations than what is anticipated for the 2036 PAL 2 scenario (208,004) which is the largest scenario included in the Master Plan Update. As such, because the currently adopted ALUCP noise contour is based on the 1997 Master Plan, the noise contour prepared for the Proposed Project and evaluated in the PEIR is smaller than the noise contour prepared for the ALUCP, and no new areas would be exposed to noise levels greater than those already identified and accounted for in the policies and compatibility criteria. Accordingly, preparation of a supplemental noise analysis for purposes of answering the topic raised by the commenter is not warranted.

In regards to single noise events, as discussed in Section 2.4.2 of the PEIR, potential noise impacts associated with the Proposed Project were studied using standard tools, methodologies, and significance criteria for aircraft noise as established by the FAA. Specifically, FAA Order 1050.1F Desk Reference (Section 11.4) explains that DNL (or CNEL as explained in the PEIR) is the recommended metric for analyzing aircraft noise exposure, and should continue to be used as the primary metric. It also states there are no new metrics of sufficient scientific standing to substitute for DNL/CNEL. FAA criteria require that the determination of significance must be analyzed through the use of noise contours along with local land use information and general guidance contained in Appendix A of 14 CFR Part 150. Preparation of noise contours associated with airport and aviation projects is the standard means of assessing potential noise impacts associated with airport and aviation projects under both state and federal guidance. Accordingly, preparation of noise contours for purposes of identifying potential noise impacts associated with the Proposed Project is sufficient to identify potential noise impacts associated with the Proposed Project. Therefore, the analysis in the PEIR is valid and no revisions were made.

As noted in FAA Order 1050.1F Desk Reference, supplemental noise measurements, such as single events, may be conducted to assist in the public's understanding of the Airport's noise conditions. Therefore, although single noise events are not used as the County's threshold of significance, the County continues to consider single noise events through the existing Voluntary Noise Abatement Procedures (VNAP) in consultation with the community and local residents. See **Master Response 3** for more information on improvements to VNAP.

**L3-68** As discussed in the PEIR Section 2.4.1 Noise Sources, aviation noise data used for assessing existing noise conditions surrounding the airport was based on detailed flight information from a full year of flight tracks and operations by aircraft type, altitude, and



location using County and FAA sources. Accordingly, the noise analysis reflects actual use of the Airport, not ground-level measurements from noise microphones. The County has an ongoing noise monitoring program with permanent microphones near the flight paths, and those noise monitors are used for outreach and education purposes. The FAA methodology for assessing aircraft noise does not include ground-level measurements. As also discussed in this same section, and in PEIR Section 2.4.1 Methodology Ground Source Noise, the ambient noise survey measurement locations were chosen based on areas with “potential sensitivity to future construction noise.” There are no residential areas directly north of the airport in proximity to hearing construction noise from the Proposed Project, as reflected in the selection of ambient noise measurement locations.

**L3-69** The comment requests that the cumulative impacts noise analysis include the FAA’s SoCal Metroplex project. Revised procedures from FAA’s SoCal Metroplex project were implemented by FAA in late 2016 / early 2017 and replaced previously implemented conventional procedures. As such, these procedures are considered part of existing conditions and as indicated in the PEIR’s Noise Impact Analysis (Appendix D, p. 1-25), the flight tracks developed for the noise analysis accounted for the introduction of these new procedures.

Specifically, FAA’s SoCal Metroplex project introduced three new procedures to serve the Airport using area navigation technology (RNAV): the CWARD and PADRZ SIDs and the LEGOZ STAR. In addition, an instrument approach procedure using Required Navigation Performance (RNP) technology called the RNAV (RNP) Z RWY 06 was also introduced. Furthermore, the SoCal Metroplex procedures were designed to fit within the footprint of existing procedures. Changes to flight paths associated with these procedures primarily occurred at or above 3,000 feet above mean sea level. This is reflected in the procedures designed to serve the Airport as changes to flight tracks associated with these new procedures primarily occur over the ocean and away from the City of Carlsbad.

**L3-70** The County maintains that it has no regulatory ability to restrict or otherwise prevent use of this public-use airport by non-commercial aviation activity, including but not limited to general aviation, military, or charter flights. The County has no jurisdiction or enforcement authority to deny safe use of the Airport. Nonetheless, non-commercial aviation activity was analyzed, and potential noise impacts were disclosed in the PEIR and technical studies. The PEIR’s Noise Impact Analysis (Appendix D) Table 5 describes the anticipated increase in operations for all aircraft types, including non-commercial. Figure C1 from the Noise Impact Analysis (Appendix D) presents a comparison of existing conditions (2016) to future conditions (2036) including full implementation of the Proposed Project, including forecasted commercial and non-commercial aircraft operations. These exhibits were provided to the public for an understanding of several perspectives on how noise may change in the future planning period, but the CEQA significance determination was based on the analysis discussed in Section 2.4.2.

**L3-71** Please refer to **Response to Comment L3-70**. As a federally-obligated public use airport that accepts FAA funds to construct and maintain its facilities, the County as airport sponsor is required to comply with federal grant assurances. As discussed in the PEIR Chapter 1, FAA Order 5190.6B discusses Grant Assurance 22, Economic Nondiscrimination, requires the sponsor to make its aeronautical facilities available to the public and its tenants on terms that are reasonable and without unjust discrimination. This federal obligation involves several distinct requirements. First, the sponsor must make the airport and its facilities available for public use. Next, the sponsor must ensure that the terms imposed on aeronautical users of the airport, including rates and charges, are reasonable for the facilities and services provided. Finally the terms must be applied without unjust

discrimination. The prohibition on unjust discrimination extends to types, kinds and classes of aeronautical activities as well as individual members of a class of operator.

The County purposefully does not use its authority to discriminate on airport uses, as long as it is deemed safe and under the continued oversight of the FAA Air Traffic Control Tower. The Proposed Project consists of a set of safety and operational efficiency improvements based on short, mid, and long-term forecasts of anticipated use. The Master Plan Update's proposed changes to the airfield dimensions are based on FAA design standards to maximize safety for the current and future aircraft fleet mix. The comment's assertion that the County could use its role as airport sponsor to influence the type of operations at the Airport is incorrect. To the contrary, the County's role includes operating the Airport in a manner consistent with federal obligations and the public's investment in civil aviation.

As discussed, the County has no discretion or enforcement authority over non-commercial aviation activity, such as general aviation, military, or charter flights. Nonetheless, non-commercial aviation activity was analyzed, and its potential emissions were fully disclosed in the PEIR and technical studies. Therefore, the PEIR did analyze aircraft activity that is within the County's discretion (i.e., commercial operations) as well as activity that is not within the County's discretion (i.e., non-commercial operations).

**L3-72** Please see **Response to Comment L3-70**. The noise analysis in the PEIR and technical studies analyzed several scenarios, including growth in both commercial and non-commercial (e.g., general aviation) activity.

The PEIR Section 2.4.3 Cumulative Impact Analysis was updated to include reference to Figure C1 from the Noise Impact Technical Report (Appendix D) as it shows the comparison between existing conditions (2016) and full implementation of PAL 2 conditions (2036). This scenario incorporates potential noise impacts of all types of aviation activity at the Airport at the full forecasted operation levels, and incorporates implementation of all Master Plan Update components. Figure C1 supplements the conclusion that there is no cumulative noise impact associated with the Proposed Project.

**L3-73** California State law requires that Airport Land Use Compatibility Plans be based on long range master plans or, if no master plan is available, on an approved airport layout plan. The current (2011) ALUCP for the Airport relied upon the activity forecast included in the Airport's 1997 Master Plan. The 1997 Master Plan's 20-year forecast of 289,100 operations at the Airport for 2015 was based on estimates, market trends, and projections using 1995 data. In reality, the number of aircraft operations has been in decline since 2000 and the operational forecast anticipated in the 1997 Master Plan was not realized. The proposed Master Plan Update (Section 3) discusses the updated assumptions incorporated in the development of the next 20-year forecast. Specifically, the Master Plan Update Section 3.5.4 further discusses the decline in aviation activity experienced nationwide. Adjustments to the forecast were also made to reflect current and anticipated changes to the Airport fleet mix, commercial use at the Airport, and other operational considerations.

The revised forecast provided in the Master Plan Update and analyzed in the PEIR are based on established forecasting methodologies explained in detail in Master Plan Update. Similar to how the 2011 ALUCP reflects the 1997 Master Plan aviation forecast, it is anticipated that upon a decision of a selected alternative by the County Board of Supervisors, the SDCRAA would similarly update ALUCP to reflect the new Master Plan Update aviation forecast.

**L3-74** The comment notes that the aircraft noise analysis in the PEIR primarily focuses on a comparison of future year “No Project” with future year “Proposed Project” conditions and acknowledges that the courts and CEQA Guidelines have allowed for a future year baseline when justified by the conditions of the project. In the court case referenced by the commenter, the noise analysis uses federal thresholds promulgated by the FAA. Those thresholds require a comparison of future year “No Action” conditions (i.e., No Project) to future year “Proposed Action” conditions (i.e., Proposed Project) for purposes of the analysis of impacts directly associated with the project.

Pursuant to CEQA Guidelines § 15125(a) each section of the PEIR includes a discussion of the environmental baseline, and for noise issues that discussion is located in Section 2.4.1 (Existing Conditions). Additionally, existing conditions noise levels are shown graphically in Figure 2.4-2 and are used to compare with several forecasted aviation activity scenarios as shown in the PEIR and its Appendix D. This information regarding the comparison of existing conditions to multiple planning scenarios is included in the record for the Proposed Project, and it was fully disclosed to during the public review period.

As discussed in the Master Plan Update, changes in operational levels are expected to increase annually at a modest level as compared to the previous planning period. The forecast scenarios reflect assumptions about the increase in aircraft operations (referred to planning activity levels, or PALs) and are not dependent on airfield capacity improvements or other infrastructure improvements. Rather, the forecasts were developed to anticipate foreseeable demand for Airport facilities and infrastructure. As a result, this would help identify which facilities should be improved to meet the projected forecast. In other words, the incremental increase in aircraft operations projected in the Master Plan Update is expected to naturally occur throughout the 20-year planning period whether or not the Master Plan Update is implemented. Therefore, it can be concluded that the Master Plan Update would not induce the forecasted aircraft operations.

However, because the County must issue ground leases to allow for commercial air service at the Airport, this would be considered a discretionary action. As such, for the purposes of CEQA, the PEIR includes both facility improvements and commercial air service operations as part of the Proposed Project. Furthermore, it would be misleading and uninformative to presume the County has discretion or control over non-commercial aircraft operations, such as general aviation, charter, military, etc.

Also, potential changes in environmental conditions (i.e., greenhouse gas emissions) were calculated to naturally change regardless of the County’s proposed facility improvements or approval of commercial air service operations (i.e., Proposed Project). As a result, comparing the Master Plan Update’s full implementation timeframe (i.e., 2036) to existing conditions (i.e., 2016) would be misleading and uninformative as conditions would naturally evolve over the 20-year planning period regardless of the Proposed Project. Therefore, for the purposes of the PEIR, emissions associated with the Proposed Project in 2036 were compared to environmental conditions projected to occur in 2036 without the Proposed Project. This methodology is consistent with the FAA Office of Environment and Energy, which requires the study of an implementation year with and without a proposed action to account for incremental changes that may occur in environmental conditions.

Nonetheless, existing environmental conditions have been disclosed for air quality, noise and greenhouse gas emissions. As the commenter acknowledges in a subsequent comment, emissions data comparing the Proposed Project to existing conditions can be calculated from the information disclosed in the PEIR’s technical reports. However, for the purposes of CEQA impact analysis, only the discretionary actions attributable to the Proposed Project are considered.

For the public to be able to consider how existing conditions may be affected by the long-term aviation forecast and as acknowledged by the commenter, Section 2.4.2.1 includes a comparison of the Proposed Project (i.e., facility improvements and commercial air service) PAL 2 and 2016 existing conditions as part of the analysis. Figure 2.4-6 includes a comparison of the future and existing conditions noise contours. The analysis is focused on the PAL 2 scenario because it includes the largest number of forecasted operations. The comparison concludes that the Proposed Project would not result in a 1.5 dB increase in noise to sensitive uses exposed to CNEL 65 dB or greater and thus is below a level of significance. Also, as discussed in **Response to Comment L3-70**, Appendix D to PEIR includes Figure C1 comparing existing (2016) to future (2036) conditions with operations of all types including non-commercial operations.

**L3-75** The shift of the 65 CNEL noise contour associated with 2036 future conditions as shown in the PEIR Figures 2.4-4, 2.4-5 and 2.4-6 incorporates new areas designated by the City of Carlsbad's General Plan as Open Space, Planned Industrial, and General Commercial. There are no existing or foreseeable hotel uses within the Open Space or General Commercial designated areas. The only General Commercial area within the future conditions noise contour is located south of Palomar Airport Drive and west of El Camino Real, and is owned by the County of San Diego.

In review of the City of Carlsbad's Zoning Ordinance, hotel uses are a "Permitted Use" within the Chapter 21.34 P-M Planned Industrial Zone subject to the City's review and issuance of a Conditional Use Permit. The process by which the City would issue a Conditional Use Permit includes review of the hotel within the context of the approved ALUCP to demonstrate compatibility with proximity to the airport. State law requires that the local land use authority, in this case the City of Carlsbad, amend their General Plan in conformance with the ALUCP's designated noise contours and safety zones.

In review of PEIR Figure 2.4-6, which compares 2016 existing conditions to 2036 future conditions including PAL 2, there are no hotels within the 65 CNEL contour in either current or future conditions. Accordingly the existing hotel uses would not conflict with the ALUCP noise compatibility policies.

**L3-76** The analysis in the PEIR accounts for noise from both aircraft operations and on-road vehicular traffic. As discussed in Section 2.4.2.2, the noise impacts associated with future aircraft operations would be less than significant. The analysis accounts for airborne noise from aircraft operations, as well as airborne noise from Airport-related on-road vehicular traffic. Aircraft and ground on-road vehicular traffic are considered the predominant noise sources in the vicinity of the Airport and were analyzed for significance under CEQA.

**L3-77** The County is amenable in coordinating with the City of Carlsbad to consider City requirements and comments when implementing project-specific elements as deemed applicable.

**L3-78** Once project-specific activities are proposed that would warrant construction noise mitigation measures, the County is amenable in coordinating with the City of Carlsbad to consider City requirements and comments as deemed applicable.

**L3-79** The County's existing VNAP is not a CEQA mitigation measure, nor is it an FAA-required noise mitigation program. The VNAP is a voluntary set of procedures initiated by the County to communicate with pilots regarding flight path and altitude recommendations to avoid noise sensitive residential areas. The County has no regulatory authority to require compliance of any portion of the VNAP on pilots as only the FAA (including Air Traffic

Control Tower) can regulate aircraft overflights. The VNAP is a component of the Airport's existing Noise Program. Ongoing performance reporting and briefings are presented to the public and the Palomar Airport Advisory Committee (PAAC) at regular meetings. Further information is available at [www.sandiegocounty.gov/content/sdc/dpw/airports/palomar.html](http://www.sandiegocounty.gov/content/sdc/dpw/airports/palomar.html). Please also refer to **Master Response 3 (Voluntary Noise Abatement Procedures)**.

**L3-80** This comment states there is no such roadway titled "Oak Ridge Way." This roadway does exist within the City of Vista. It is located just east of South Melrose Drive after Faraday Avenue transitions into Park Center Drive. The PEIR Section 2.5.1.1 was revised to replace Oak Ridge Way with South Melrose Drive to cite the correct terminus of Faraday Avenue.

**L3-81** The comment confirms that various segments of Palomar Airport Road are exempt from the City's LOS standards. It is unclear which intersection the City is referring to governed by the Carlsbad Mobility Element Policy 3-P.11. However, as noted in the Mobility Element, this Policy only applies to roadway segments that are exempt from LOS standards. The only exempted intersection impacted by the project is Palomar Airport Road/El Camino Real. Therefore, the County presumes that is the intersection in reference. No changes to the PEIR have been made in response to this introductory comment.

The comment also requests the County to develop a site/employer-based TDM plan as mitigation for impacts to the (assumed) intersection of Palomar Airport Road/El Camino Real. This contradicts a later comment (L3-85) in which the City concurs with the County's proposed mitigation at Palomar Airport Road/El Camino Real, including implementation of Transportation System Management (TSM) strategies. As individual Master Plan Update elements are proposed that would trigger this impact, the County is amenable in coordinating with the City to identify specific mitigation, as applicable. Therefore, no changes to the PEIR have been made in response to this comment.

**L3-82** The comment requests an explanation why the PEIR did not include vehicle trips generated from non-commercial aviation activities (i.e., general aviation) in its transportation analysis, and states it is not appropriate to omit non-commercial aviation activities. Please refer to **Response to Comment L3-74**, which explains that it would be misleading and uninformative to presume the County has discretion or control over non-commercial aircraft operations, such as general aviation, charter, military, etc. Nonetheless, because the Airport's surrounding roadways were studied under existing conditions (2016), vehicle trips generated for all aviation activities (i.e., commercial and non-commercial) were accounted for under existing traffic volumes. Under near-term conditions, the transportation analysis then added the anticipated vehicle trips generated from commercial enplanements to the near-term conditions. And lastly, the long-term forecasted transportation volumes were developed by adding the Proposed Project's anticipated vehicle trips from commercial enplanements to SANDAG's long-term projections of traffic volumes, which have accounted for natural growth throughout the region, including through 2035 (i.e., closest to 2036). Accordingly, the PEIR does account both commercial and non-commercial aircraft operations, and no changes have been made in the PEIR.

**L3-83** The comment requests for the County to summarize the Airport Multimodal Accessibility Plan (AMAP) recommended improvements and how those improvements relate to the Master Plan Update and City's General Plan. As the AMAP was developed by SANDAG, please refer to SANDAG's Comment L2-4 on the Draft PEIR for a description of these improvements, including the County's responses. As noted in **Response to Comment L2-4**, the AMAP improvements are not within the County's scope or jurisdiction, and those improvements are not required in order to implement the Master Plan Update. Therefore, while the AMAP is referenced in the PEIR for the purposes of discussing air quality and greenhouse gas emissions, the County is not required to incorporate AMAP improvements

into the Master Plan Update. Implementation of the Master Plan Update would not preclude the development of such improvements by SANDAG or the City of Carlsbad.

Also, because the AMAP improvements are not within the County's scope or jurisdiction, the County cannot make a determination as to how those improvements would relate to the City's General Plan. Nonetheless, a review of the City's General Plan identified that its EIR incorporated SANDAG's long-term model, which would have included assumptions from the Regional Aviation Strategic Plan (RASP). Therefore, no changes to the PEIR have been made in response to this comment.

**L3-84** Please refer to **Response to Comment L3-43**, which concludes that the PEIR's cumulative projects list was appropriately prepared in consultation with the City of Carlsbad Planning Department, and no revisions to the PEIR are required.

**L3-85** The comment states the City's concurrence with the proposed mitigation for the intersection of Palomar Airport Road / El Camino Real. However, this comment incorrectly transposed the mitigation numbers. El Camino Real is associated with M-TR-2. No changes to the PEIR have been made in response to this comment.

**L3-86** It should be noted that this comment incorrectly transposed the mitigation numbers, and the intersection of Palomar Airport Road / Camino Vida Roble is associated with M-TR-1 (not M-TR-2).

The comment confirms the intersection of Palomar Airport Road / Camino Vida Roble is not exempt from the City's LOS standards, and as such, the City states that an alternate mitigation measure is warranted to improve the intersection. Specifically, the City finds that physical improvements are needed, and the County should pay 10.7 percent of the cost of those improvements. The County is amenable in working with City staff to identify suitable improvements in which the County would financially contribute its fair-share costs (i.e., 10.7 percent). Therefore, the PEIR Mitigation Measure M-TR-1 was revised to cite that "alternative improvements such as adding a southbound right-turn overlap phase" may be considered as part of the proposed mitigation at Palomar Airport Road/Camino Vida Roble.

The comment also suggests the County could alternatively request the Carlsbad City Council to approve adding this intersection to the list of street facilities exempt from LOS standards. The County did make such a request in a comment letter submitted to the City on June 20, 2014 regarding the City's Draft General Plan and associated EIR. At that time, the City elected not to include this segment as an LOS-exempt facility.

**L3-87** The comment requests that the metric for Federal de minimis thresholds be converted to "pounds per day." FAA's methodology and federal thresholds are used in this project to analyze aircraft emissions because neither the State nor County have adopted thresholds applicable to aircraft emission sources. These thresholds used in the PEIR were copied and applied directly from 40 CFR 93.153(b) (1) and (2), which require analysis of "tons per year". Therefore, the PEIR analysis is not incorrect. Nonetheless, for the benefit of this comment, the calculations are provided below as part of this response in "pounds per day".

| Scenario  | Total Emissions (pounds per day) |       |                 |                 |                   |                  |      |
|---|----------------------------------|-------|-----------------|-----------------|-------------------|------------------|------|
|   | CO                               | VOC   | NO <sub>x</sub> | SO <sub>x</sub> | PM <sub>2.5</sub> | PM <sub>10</sub> | Pb   |
| Future Conditions (2036)<br>No Project vs. With-Project (PAL 1) | 414.68                           | 21.10 | 145.59          | 23.89           | 7.95              | 22.41            | 0.05 |

|   |        |        |        |       |       |       |      |
|---|--------|--------|--------|-------|-------|-------|------|
| Future Conditions (2036)<br>No Project vs. With-Project (PAL 2) | 116.11 | 30.58  | 266.36 | 42.47 | 14.74 | 42.03 | 0.05 |
| Federal De Minimis Threshold Level                              | NA     | 547.95 | 547.95 | NA    | NA    | NA    | NA   |
| Impact  | No     | No     | No     | No    | No    | No    | No   |

The comment also asserts the PEIR should account for all aircraft operations; not just commercial. The purpose of the PEIR is to review impacts related to the Master Plan Update improvements to County facilities; not to inventory and assess uses of private leaseholds or tenants, and attributing those ongoing operational emissions to the proposed project would be misleading and uninformative. Also, as noted in **Master Response 7**, aircraft in flight are under the jurisdiction and regulatory enforcement of FAA. As such, the County does not have the regulatory ability to place restrictions on Airport users or mitigate ongoing aircraft at a public-use airport.

As ground-facility manager, the County issues leases for commercial service. Therefore, impacts were analyzed only for commercial activity because the County has discretion over the approval of commercial air service leases. Nonetheless, emissions associated with all aircraft operations (including general aviation) were calculated and disclosed in the published PEIR Air Quality Technical Analysis (Appendix F).

**L3-88** This comment questions why the project emissions totals are lower than existing conditions. The PEIR Table 3.1.2-1 is titled Existing Conditions (2016) Air Quality Emissions and is provided to show current emissions without the Proposed Project. As explained in **Response to Comment L3-74**, the PEIR does not use existing conditions as its baseline for air quality emissions because potential changes in environmental conditions (i.e., greenhouse gas emissions) are anticipated to naturally change regardless of the County’s proposed facility improvements or approval of commercial air service operations (i.e., Proposed Project). The PEIR instead uses future conditions without the Proposed Project as a baseline as explained in **Response to Comment L3-74**. The PEIR Table 3.1.2-6 applies thresholds discussed in Section 3.1.2.3.2 which use a future baseline to compare against future project-related emissions. Nonetheless, as noted above in **Response to Comment L3-87**, emissions associated with the non-commercial aircraft operations (e.g., general aviation) were calculated and included in the published PEIR Air Quality Technical Analysis (Appendix F).

**L3-89** The comment asserts that future airport improvements would likely attract growth in all aircraft operations; not just commercial airline operations. However, proposed safety and efficiency improvements to the airfield are not considered growth-inducing as discussed in PEIR Section 1.9 and **Response to Comment L3-19**. As also noted in **Master Response 7**, aircraft in flight are under the jurisdiction and regulatory enforcement of FAA. As such, the County cannot place restrictions on Airport users as a public-use airport. However, as ground-facility manager, the County does issue leases for commercial service areas. Therefore, impacts were analyzed only for commercial activity because the County has discretion over the approval of commercial air service leases. Nonetheless, emissions associated with the general aviation were calculated and disclosed in the published PEIR Air Quality Technical Analysis (Appendix F).

**L3-90** Whenever possible consistent with the County’s obligations to the federal government as a grant recipient, the County will endeavor to voluntarily seek approvals from the City and require its tenants and contractors to seek approvals from the City as a means of coordinating airport development with City land use requirements. The County, however, has immunities from City building and zoning ordinances and cannot waive those

immunities without risking a violation of its federal sponsor assurances<sup>3</sup>. While these immunities apply to projects by the County and other public agencies, they can also apply to projects by airports lessees and contractors<sup>4</sup>. Accordingly the County reserves the right to assert immunities on its behalf and on behalf of its tenants and contractors to the extent provided by applicable law when necessary to comply with federal sponsor obligations or to meet County objectives. No changes to the PEIR have been made in response to this comment.

**L3-91** The comment requests the PEIR to be revised to describe the California Air Resource Board (CARB) 2017 Scoping Plan and the San Diego County CAP. The Notice of Preparation (NOP) (February 2016) for this project preceded the finalization of the 2017 Scoping Plan (November 2017) and approval of the County Climate Action Plan (CAP) (February 2018). Please refer to the recirculated portions of the Draft PEIR, which addressed the aforementioned documents in a revised Greenhouse Gas Emissions chapter.

SANDAG's San Diego Forward is included and discussed in the technical report and PEIR section, however, while San Diego Forward includes recommendations, it does not provide specific aviation GHG requirements or reduction strategies for any of the County airport facilities, including McClellan-Palomar Airport. However, San Diego Forward does include language to "[c]oordinate with the Airport Authority to implement the Regional Aviation Strategic Plan and the Airport Multimodal Accessibility Plan to maximize the efficiency and effectiveness of existing and planned aviation facilities..." The Airport is identified in the Regional Aviation Strategic Plan as providing commercial airline services to accommodate demand that cannot be met at the San Diego International Airport through Master Plan Update planning horizon. Implementation of the Master Plan Update would support the goals of SANDAG's San Diego Forward, the regional transportation plan, by providing airline services for residents in northern San Diego County thus reducing the average travel distance of privately owned vehicles accessing aviation facilities, such as San Diego International Airport, Orange County International Airport, or Los Angeles International Airport.

**L3-92** This comment has been addressed through the recirculated portions of the PEIR. No further response is required. Please refer to the PEIR, Section 3.1.5 – Greenhouse Gas Emissions, recirculated for public review from June 21 through August 6, 2018.

**L3-93** In accordance with CEQA Guidelines § 15064.4, the recirculated GHG chapter of the PEIR discloses aircraft emissions for the existing conditions (Table 3.1.5-1 Existing Conditions (2016) GHG Emissions Inventory), and future GHG emissions from operational activities under the Master Plan Update's long-term forecast scenarios (Table 3.1.5-4 Project-related GHG Emissions from Operational Activities). Further, the Climate Change technical reports (PEIR Appendix H) quantify estimated emissions associated at build-out with and without the Proposed Project. These emissions calculations are based on the County's forecast of projected aviation uses at the Airport, and only the FAA has the ability to regulate and enforce emission reduction measures for aircraft, including improvements to engine fuel consumption efficiency, refinement of fuel formulations, changes to flight tracks, and other potential approaches to reduce aircraft's GHG emissions. For example, the FAA, aircraft manufactures, and aircraft engine manufactures have been implementing several technological advancements under the Continuous Lower Energy, Emissions, and Noise (CLEEN) Program.

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<sup>3</sup> See, Govt. Code § 53090, et seq. & FAA Sponsor Assurances, Assurance No. 5.

<sup>4</sup> See, *Bame v. City of Del Mar* (2001) 86 cal. App. 4th 1350



The FAA's Air Quality Handbook, which is based on the federal Clean Air Act requirements, focuses GHG guidance on disclosure, rather than analysis based on specific quantitative criteria; "the GHG emission inventory results are not compared to the NAAQS nor any other significant criteria. Rather, the information is provided for informational purposes as a means of disclosing the project's potential effects on GHGs and climate change." Similarly it should be noted that the State's Scoping Plan includes a statement that aircraft emissions are not included as the State does not have regulatory authority over these sources. Therefore, the State, like the County as lead agency for the Proposed Project, does not assess the significance of aviation emissions relative to statewide GHG emissions or reduction strategies. It should be noted the Carlsbad Climate Action Plan, includes similar language stating "[t]he city has little, if any, influence over airport operations, and emissions associated with airport flight operations are excluded because they occur in a regional context."

- L3-94** This comment states that the GHG analysis of both construction and operations emissions should be explicitly guided by CEQA Guidelines §15064.4. The comment also states that the Council on Environmental Quality (CEQ) Guidance for review of GHG impacts under NEPA is not applicable to the PEIR. The project's GHG analysis is guided by CEQA Guidelines §15064.4. According to this section, "[t]he lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence." Consistent with this guidance the County chose the appropriate models and methodologies for each emissions source as subsequently described in the recirculated GHG section of the PEIR. Please refer to the PEIR Section 3.1.5 – Greenhouse Gas Emissions, which was recirculated for public review from June 21 through August 6, 2018.
- L3-95** This comment states the CAPCOA thresholds cited in the PEIR are outdated and inapplicable to the Proposed Project. The comment further states that the PEIR applied an improper efficiency threshold for construction impacts and applied an improper service population for the efficiency metric. These comments have been addressed through the recirculated PEIR Section 3.1.5 – Greenhouse Gas Emissions. No further response is required.
- L3-96** The comment states that the PEIR's construction analysis improperly analyzed the 16 project elements individually and the PEIR should combine all construction emissions. The comment further states that the total construction emissions should be combined with total operational emissions. These comments have been addressed through the recirculated PEIR Section 3.1.5 – Greenhouse Gas Emissions. No further response is required.
- L3-97** This comment states that the PEIR does not present an explicit quantitative significance threshold that is consistent with current scientific knowledge and state's regulatory schemes. Please refer to the recirculated PEIR Section 3.1.5 – Greenhouse Gas Emissions, and the County's responses to the City of Carlsbad's subsequent Comment Letter (R-L3).
- L3-98** The comment states that the PEIR operational impact analysis improperly uses only a future baseline. Please refer to **Response to Comment L3-74**, which explains that the PEIR does not use existing conditions as its baseline for GHG emissions because potential changes in environmental conditions (i.e., greenhouse gas emissions) are anticipated to naturally change regardless of the County's proposed facility improvements or approval of commercial air service operations (i.e., Proposed Project). The PEIR instead uses future conditions without the Proposed Project as a baseline as explained in **Response to Comment L3-74**.

**L3-99** This comment states that the GHG emissions identified in the PEIR should be considered significant impacts. While the comment includes specific emissions data that was published in the PEIR, the comment does not provide a quantified threshold or other substantiated justification for reclassifying the impacts as significant. Also, please refer to the recirculated portions of the PEIR, and the County's response to City of Carlsbad Comment Letter R-L3. The recirculated GHG chapter identifies that impacts would remain less than significant with no mitigation required. No changes have been made to the PEIR.

The comment also assumes GHG emissions data does not include Fixed Based Operators (FBOs)/tenants and requests the County to explain why these were not included in the emissions calculations. Emissions data associated FBOs/tenants (as well as other non-commercial operations) were included in the recirculated PEIR GHG chapter Table 3.1.5-5. Table 3.1.5-5 identifies GHG emissions that would naturally result without the Proposed Project. However, because the County has no control over non-commercial aircraft (as noted in **Response to Comment L3-70** and **Master Response 7**), the emissions identified in Table 3.1.5-5 are anticipated to naturally occur overtime whether or not the Proposed Project is implemented. Therefore, the County determined it would be misleading and uninformative to state that non-commercial aircraft emissions (such as FBOs/tenants) are attributable to the Proposed Project.

In other words, while GHG emissions from non-commercial operations were disclosed in the PEIR, only the discretionary project (i.e., construction improvements and commercial air service) is used for the impact analysis. No changes have been made to the PEIR.

**L3-100** This comment requests the PEIR be revised to describe the CARB 2017 Scoping Plan and the San Diego County CAP. The comment also states that the Proposed Project would be inconsistent with the aforementioned plans, and the commenter requests the County identify whether the Proposed Project would incorporate any measures from the County CAP. Please refer to the recirculated portions of the PEIR, which addressed these plans in a revised Greenhouse Gas Emissions chapter.

**L3-101** This comment states that GHG emissions associated with the Proposed Project should be considered significant, and the PEIR should identify mitigation measures or alternatives to avoid or less this impact. Please refer to the recirculated portions of the PEIR, which include additional information using project and site-specific data and analysis as well as a revised significance threshold. The revised Greenhouse Gas Emissions chapter identifies that impacts would remain less than significant with no mitigation required.

**L3-102** In response to comments received from the circulation of the Draft PEIR, a new Section 3.1.10 Energy Use and Conservation was added. Please refer to the recirculated PEIR documents that were published for public review from June 21 through August 6, 2018.

**L3-103** This comment asks the County to consider whether the PEIR needs to be recirculated. As noted in previous responses, portions of the PEIR (including a revised Greenhouse Gas Emissions chapter) were recirculated for public review. No further response is required.

**L3-104** The PEIR (including Section 3.1.7 and Table 3.1.7-1) has been revised to reflect the location of the MALSR lighting system (which is owned, operated, and maintained by the FAA) east of El Camino Real.

**L3-105** As noted in the Reader's Guide of the recirculated portions of the PEIR, potential shifts to the existing MALSR on the County-owned parcel just east of El Camino Real (Eastern Parcel) have been analyzed to describe the potential impacts to biological resources if, or when, the FAA funds relocation of their navigational aid lighting system. The County

reviewed Conservation Easement Deed #2004-1123441 to verify whether the relocated MALSR lighting system would impact the recorded conservation easement. The County confirmed that implementation of the Master Plan Update (including relocation of the MALSR) would not impact or encroach into the existing conservation easement. Also see new Final PEIR Figure 2.2-5 showing a delineation of the anticipated MALSR site within the Eastern Parcel. For a discussion of the City's Comment II.B.6, please refer to **Response to Comment L3-56**.

- L3-106** As requested by this comment, additional City regulatory documents have been added to the PEIR Section 3.1.7.1.2. Please refer to the Final PEIR. These have been included for future consideration by the County; however, as noted in **Response to Comment L3-45**, the County retains immunities from the City's land use restrictions.
- L3-107** Please refer to **Master Response 5 (Airport Expansion / Public Vote)** for discussion on the applicability of City of Carlsbad Code Section 21.53.015. Furthermore, this comment requests the County to elaborate on its position of land use authority, but this comment does not specifically identify an environmental issue with the PEIR analysis or proposed mitigation. Therefore, no changes to the PEIR have been made in response to this comment.
- L3-108** The County will continue to coordinate with the City of Carlsbad on the implementation of the Master Plan Update as individual plan components are developed. No changes to the PEIR have been made in response to this comment.
- L3-109** The Zone 5 Local Facilities Management Plan (LFMP) is addressed in the respective resource areas of the PEIR. Specifically, the PEIR Section 2.5.4.2 (Transportation and Traffic) addresses that the roadway "buildout" conditions identified in LFMP for Zone 5 have been mostly implemented. The Master Plan Update does not propose any new development that would conflict or prevent the surrounding roadways from being built-out, nor does the Master Plan Update necessitate the construction of new or improved roadways. Also, the Zone 5 LFMP does not identify any specific policies pertaining to the Airport.

Furthermore, in the Draft PEIR Section 3.1.7.2.2 (Land Use and Planning) starting on page 3-92, it stated the following with regard to the LFMP:

"Under the City Growth Management Plan, new development occurring within the City is required to demonstrate conformance with both the Citywide Facilities and Improvement Plan and applicable LFMP. This ensures there are sufficient public facilities to serve any new development. However, no new development of commercial or industrial space is proposed at the Airport as part of the Master Plan Update (and LFMP Zone 5 does not include residential uses). Specifically, the [City] General Plan identifies the Airport as "Industrial Zone", and the Master Plan Update does not introduce new uses that are inconsistent with this zoning designation. While the [City] General Plan does not focus on specific development restrictions within the County-owned property; nonetheless, the Master Plan Update does not propose adding or eliminating commercial or industrial space within or outside the existing Airport boundaries. In summary, the forecasted supply and demand of commercial and industrial areas (as outlined in the Citywide Facilities and Improvement Plan and LFMP Zone 5) would not be affected by the Proposed Project."

The comment does not provide input or remarks concerning the PEIR's environmental analysis; therefore, no changes to the PEIR have been made in response to this comment. This comment is included in the Final PEIR for review and consideration by the County Board of Supervisors prior to a final decision on the project.

**L3-110** The Draft PEIR Section 3.1.7.1.2 (page 3-83; subheading Airport Land Use Compatibility Plan) stated the following:

“Cities and Counties with land use jurisdiction for areas around airports are required to ensure their general and specific plans are consistent with the ALUCP. The authority of cities and counties to adopt land use plans that are inconsistent with an ALUCP is constrained by State law. (Government Code Section 65302.3 & Public Utilities Code Section 21675.) The current ALUCP for the Airport was adopted on January 25, 2010 and amended twice on March 4, 2010 and December 1, 2011. In accordance with State Law, General Plan Guidelines (California Government Code Subsection 65302(f) and 65302.3) explicitly require local land use authorities (in this case, City of Carlsbad and the County) to either modify their respective general plans, specific plans and ordinances (including zoning designations) to be consistent with the ALUCP or to take special steps to overrule the findings of the ALUC.”

Upon a decision of a selected alternative by the County Board of Supervisors, County staff will initiate revisions to the ALP in consultation with the FAA and SDCRAA, as appropriate. Furthermore, at this time it is not known how the ALUCP revisions by the SDCRAA would affect the City of Carlsbad General Plan and associated documents. As this comment does not specifically identify an environmental issue with the PEIR analysis or proposed mitigation, no changes to the PEIR have been made in response to this comment.

**L3-111** This comment asks the County to clarify the land use and zoning designations of areas owned by the County as compared to the Airport fence line. As noted in **Response to Comment L3-30**, revisions were made in the PEIR to further clarify which properties are County-owned, and which of those properties are part of the active airfield or Proposed Project. Please refer to the Final PEIR, including Chapter 1, Figure 1-6, and Chapter 3.1.7. PEIR Section 3.1.7.1.2 has also been revised to cite the zoning and land use designations, according to the City of Carlsbad General Plan, for the Airport (i.e., active airfield) and Eastern Parcel.

**L3-112** Please refer to **Master Response 5 (Airport Expansion / Public Vote)** for discussion of City of Carlsbad CUP 172. As noted, the Master Plan Update is consistent with the CUP because it proposes changes to existing facilities that are necessary to provide for the safe and efficient operation of the Airport as required by federal grant assurances.

Furthermore, as part of the evaluated impact analysis, the Draft PEIR Section 3.1.7.2.2 identified that, “[t]he County has not, as part of the Airport Master Plan process, identified a need to expand Airport facilities beyond the current provisions of CUP-172 or for a legislative enactment from the City such as a zone change or general plan amendment to support any changes to facilities recommended by the Airport Master Plan.” As the City has indicated in Council meetings and its website, “...the city’s legal team has concluded that the plan does not call for an expansion...The city has not identified any aspect of the master plan or its implementation that would require this kind of legislative action.”

The comment does not provide input or remarks concerning the PEIR’s environmental analysis and no changes to the PEIR have been made in response to this comment.

**L3-113** Whenever possible consistent with the County’s obligations to the federal government as a grant recipient, the County will endeavor to voluntarily seek approvals from the City and require its tenants and contractors to seek approvals from the City as a means of coordinating airport development with City land use requirements. The County, however, has immunities from City building and zoning ordinances and cannot waive those immunities without risking a violation of its federal sponsor assurances. (See, Govt. Code § 53090, et seq. & FAA Sponsor Assurances, Assurance No. 5.) While these immunities

apply to projects by the County and other public agencies, they can also apply to projects by airports lessees and contractors. (See, *Bame v. City of Del Mar* (2001) 86 Cal. App. 4th 1350.) The County will, accordingly, continue to voluntarily comply with CUP-172 and seek to require its airport tenants and contractors to comply with CUP-172, but reserves the right to assert immunities on its behalf and on behalf of its tenants and contractors to the extent provided by applicable law when necessary to comply with federal sponsor obligations or to meet County objectives.

- L3-114** The comment requests the PEIR to explain how the D-III Full Compliance Alternative may trigger the need for additional approval from the City or public vote pursuant to Carlsbad Municipal Code 21.53.015. Although potential selection and implementation of this alternative may require further review pursuant to City land use regulations, the comment does not provide input or remarks concerning the PEIR's environmental analysis pursuant to CEQA. Further, the implications of City approval or Carlsbad Municipal Code 21.53.015 are not applicable to the Master Plan Update's environmental review and would be addressed at the project-level if this alternative is selected. Accordingly, no changes to the PEIR have been made in response to this comment.

**Comment Letter R-L3**

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**From:** Jason Haber <Jason.Haber@carlsbadca.gov >  
**Sent:** Monday, August 06, 2018 9:34 AM  
**To:** LUEG, PalomarMP  
**Cc:** Gade, Derek; Carmichael, Leann  
**Subject:** City of Carlsbad Comments on Recirculated Portions of McClellan-Palomar Airport Master Plan Update Draft PEIR  
**Attachments:** Carlsbad Comment Letter on Recirculated Portions of Draft EIR.pdf

Dear Ms. Curtis:

The City of Carlsbad submits the attached comments on the Recirculated Portions of the McClellan-Palomar Airport Master Plan Update Draft Program Environmental Impact Report. I will mail a hard copy today, as well.

R-L3-1

Please confirm your receipt.

Thank you,

Jason Haber  
Assistant to the City Manager



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August 6, 2018

Cynthia Curtis, Environmental Planning Manager  
County of San Diego  
Department of Public Works  
5510 Overland Avenue, Suite 410  
San Diego, CA 92123

Re: Comments on Recirculated Portions of the McClellan-Palomar Airport Master Plan Update Draft Program Environmental Impact Report

Dear Ms. Curtis:

The City of Carlsbad submits the attached comments on the Recirculated Portions of the McClellan-Palomar Airport Master Plan Update Draft Program Environmental Impact Report.

The City looks forward to continuing discussions with San Diego County to ensure that the Master Plan Update and its various project components are undertaken in a manner that does not compromise the health and well-being of Carlsbad residents, while ensuring that requirements for safety and air navigation are met at the McClellan-Palomar Airport.

R-L3-2

Sincerely,  


Scott Chadwick  
City Manager

cc: Carlsbad City Council

City Manager's Office  
City Hall 1200 Carlsbad Village Drive | Carlsbad, CA 92008 | 760-434-2820 t

**CITY OF CARLSBAD COMMENTS  
ON RECIRCULATED PORTIONS OF DRAFT PEIR**

Any capitalized terms not otherwise defined below have the meanings set forth in the Draft PEIR. References to CEQA Guidelines refer to California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 -15387.

R-L3-3

**I. Recirculated Biological Resources Section**

a) General Comments

R-L3-4

i. We reaffirm our March 13, 2018 comments on this section. Among other items, we note that this recirculated analysis still does not assess whether a relocated MALSR would impact the existing Conservation Easement area at the west end of the eastern parcel (see our Draft PEIR comment II.B.6.b, page 21).

ii. Given that this recirculated section identifies new significant impacts that were not previously analyzed, we believe that the alternatives analysis in the Draft PEIR must be updated and recirculated as well.

R-L3-5

b) Page 2-18, third paragraph. Figure 2.2-1 also shows a preserve area. This should be the area of most concern and the area which would appear to be affected by MALSR relocation. This description should be updated to include discussion of the preserve area.

R-L3-6

c) Page 2-18, third paragraph. It should be noted that any changes to the pre-negotiated preserve area must be approved by the wildlife agencies, according to the March 7, 2011 agreement letter with the wildlife agencies (see Appendix H of the Draft PEIR [Appendix B] Biological Resources Technical Report, “North County MSCP Hardline for the McClellan-Palomar Airport Runway Expansion and Eastern Parcel Development Project”). The proposed mitigation measure should be modified to acknowledge that wildlife agency approval to modify PAMA/preserve boundaries is required for the mitigation measure to be effective.

R-L3-7

d) Page 2-18, fourth paragraph. The area in question (shown in red on Figure 2.2-1) is designated preserve area, not PAMA. Also, the potentially affected area on the eastern parcel is designated preserve area.

R-L3-8

e) Page 2-19, second paragraph, last sentence. This sentence fails to acknowledge that there are 10.2 acres of designated critical habitat for the San Diego thornmint (Draft PEIR Figure 2.2-2; PEIR Appendix B, p. 23) on the Eastern Parcel. To make this description complete, please add a discussion of the critical habitat designation for the San Diego thornmint.

R-L3-9

f) Page 2-20, last paragraph. Please note that habitat impacts within the agreed-upon preserve area would require negotiation and approval of the wildlife agencies, not simply applying mitigation ratios (see March 7, 2011 letter from wildlife agencies to the County.)

R-L3-10



g) Page 2-22, reference to Figure 2.2-3. Figure 2.2-3 does not show the Eastern Parcel habitat types/vegetation communities. The figure should be updated or a new one added (such as Figure 1 of the May 31, 2018 Biological Resources Technical Addendum) to correspond to this updated sub-section and tables. R-L3-11

h) Page 2-26, Section 2.2.1.6 (Habitat Connectivity and Wildlife Corridors). Please expand this section to discuss habitat connectivity and wildlife corridor impacts to the Eastern Parcel. Note that the Eastern Parcel is part of Core #5 under the City’s Habitat Management Plan (see Habitat Management Plan, Section D.2.E and Figure 4). R-L3-12

i) Page 2-28, first paragraph under Special Status Plant Species. Please strike the word “unoccupied” in the fifth line. San Diego thornmint is present within the critical habitat area, as shown in Figure 1 of the May 31, 2018 Biological Resources Technical Addendum, and the critical habitat is therefore occupied. R-L3-13

j) Page 2-29, second to last paragraph. Given that MALSR relocation would take place concurrent with or after the long-term runway shift 13-20 years from now, and given that the MALSR's precise location within the critical habitat area is only estimated at this time, it would seem prudent to consider impact to the San Diego thornmint to be potentially significant unless mitigated. While the 2016 rare plant survey detected San Diego thornmint some 85 feet from the estimated impact area, it is conceivable that additional thornmint plants could establish themselves within the critical habitat area a decade or two from now. Therefore, a mitigation measure should be included to require that an updated rare plant survey be conducted prior to relocation of the MALSR to confirm that no impacts to the San Diego thornmint would occur. If an updated survey concludes an impact would result, then appropriate mitigation measures consistent with the NCMSCP or other applicable guidance should be implemented. R-L3-14

k) Page 2-38, second line and M-BI-5. The referenced letter does not specify the mitigation ratio for vernal pool impacts. Instead, the letter estimates .20 acre of vernal pool impact will be mitigated through creation/restoration on 6.78 acres of fallow/ag area, which is not shown on the referenced figure. Please substantiate that the 2011 letter agreement with the wildlife agencies allows the lower 1:1 mitigation ratio for the vernal pool impacts, rather than the higher 5:1 ratio required by County Guidelines. R-L3-15

l) Page 2-39, M-BI-7. Per the referenced letter, changes to the agreed-upon preserve area (MALSR relocation would affect the designated preserve area) would require approval by the wildlife agencies. The Draft PEIR should disclose this. R-L3-16

m) Page 2-39, M-BI-8. The 2011 wildlife agencies letter assumes all the non-native grassland would be preserved. Given that MALSR relocation would impact some of the preserved non-native grassland, concurrence by the wildlife agencies would be required, according to the letter's terms. This should be disclosed in the Draft PEIR. Also, mitigation measure M-BI-8 should specify that the draft NCMSCP requires 1:1 mitigation for non-native grassland impacts within a PAMA, not 0.5:1 as shown in Table 2.2-4 [see Appendix A to Draft NCMSCP, R-L3-17

<https://www.sandiegocounty.gov/content/dam/sdc/pds/msep/docs/AppendixANCBMO.pdf>]. The table should be corrected to reflect the higher mitigation requirement of the NCMSCP.

R-L3-17  
cont.

**II. Greenhouse Gas Emissions Analysis, Revised Draft PEIR, Section 3.1.5**

We have the following comments on the revised Draft PEIR GHG emissions section:

a) Although revisions to the greenhouse gas (GHG) section address a few of Carlsbad’s comments on the original Draft PEIR section, we still have many concerns about this analysis. In summary, the revised section still uses an improper baseline, improper thresholds of significance, and improper calculation methodologies. If these errors were corrected, the GHG impacts would be significant and mitigation would be required.

R-L3-18

b) The revised GHG impact analysis does not address Carlsbad’s comments on the original Draft PEIR related to aviation emissions. The revised section continues to assert (see, e.g., p. 3-55) that since the County has no authority to regulate aircraft or their emissions, there is no applicable methodology or threshold with which to evaluate their significance. Even if the County cannot directly regulate aircraft emissions, the Draft PEIR must still disclose those emissions, include them in impact significance determinations, and address the feasibility of mitigating any significant impacts, for example, through changing those airport operations which the County does control. See *Association of Irrigated Residents v. Kern County Bd. of Supervisors* (2017) 17 Cal.App.5th 708 (County was not preempted from disclosing rail operations impacts caused by refinery expansion and identifying feasible mitigation measures, even though it was preempted from directly regulating mainline rail operations).

R-L3-19

c) In the City’s comment letter on the DEIR, we raised questions about the environmental effects of drilling hundreds of holes into the existing landfill to install piles for the runway extension. The GHG analysis does not appear to include any potential methane emissions associated with this work. Please add this analysis.

R-L3-20

(d) Although the revised Draft PEIR section addresses some of Carlsbad’s comments on the original Draft PEIR related to significance thresholds and analysis methodologies, the approach used still is inconsistent with CEQA requirements. The revised discussion of significance (pp. 3-63 and 3-64), although it purports to use Appendix G criteria as requested by Carlsbad’s comments, improperly discusses different thresholds of significance with different impact analysis methodologies for aviation-related vs. non-aviation-related emissions for determining whether the project would “generate GHG emissions, either directly indirectly, that would have a significant effect on the environment” (the Appendix G criterion). The revised Draft PEIR should present a quantitative threshold of significance that applies to *all* project emissions sources combined—amortized construction emissions plus aviation-related emissions plus non-aviation-related emissions.

R-L3-21

CEQA Guidelines section 15064.4 gives each lead agency the affirmative duty to develop its own GHG methodologies and thresholds for each regardless of project type. Carlsbad requests that the lead agency explain how the following sentence (p. 3-64) applies to the Draft PEIR analysis: “[in] the absence of state or local thresholds for GHG emissions from aviation sources, State CEQA Guidelines Appendix G criteria shall apply to determine if the proposed project would result in a significant impact.”

e) The 900 MT CO<sub>2</sub>E CAPCOA “screening level” described on Draft PEIR pages 3-64 and 3-65, although explained further in the revised Draft PEIR section, is still incorrectly described and applied. The 900 MT screening level should not be applied separately to amortized construction emissions, but instead should be applied to combined amortized construction and operational emissions. These combined emissions are presented in a new improperly-labeled “cumulative impact analysis” section; both construction and operational emissions are generated by the same proposed project, not different projects.

R-L3-22

The combined emissions in that section, even though based on a future baseline only, clearly exceed the 900 MT “screening level” and therefore should be considered significant. The Draft PEIR defends the 900 MT figure as a “screening level” for further analysis, when actually it or a similar small figure should serve as a CEQA significance threshold if a net zero threshold is not adopted (see next comment). Almost all of the air district screening levels cited to support the 900 MT figure actually use this or similarly small bright-line thresholds as a CEQA threshold of significance triggering mitigation obligations, not as a screening level that merely triggers further analysis.<sup>1</sup> The Carlsbad and Escondido CAP screening levels cited in the revised section merely identify projects too small for implementation of CAP GHG reduction measures, and are inapplicable to CEQA analysis of the Master Plan Update.

f) To achieve SB 32’s ambitious 2030 GHG reduction target of 40% below 1990 levels, the 2017 Scoping Plan (pp. 101-102) recommends a net zero threshold for project EIRs unless it is infeasible to achieve. A net zero threshold should be used to judge the significance of the proposed project’s combined construction and operational GHG emissions unless the revised Draft PEIR demonstrates it is infeasible to achieve. CEQA case law has recognized that even small amounts of GHG emissions may be cumulatively considerable and thus significant. See *Cleveland National Forest Foundation v. San Diego Association of Governments* (2017) 3 Cal. 5th 497.

R-L3-23

g) Instead, the revised Draft PEIR improperly applies an efficiency threshold (3.01 MT CO<sub>2</sub>e/SP/yr) to judge the significance of operational and cumulative GHG impacts. The 2017 Scoping Plan intends efficiency thresholds to apply primarily to local plans, not to projects, for which a net zero threshold is recommended (see pp. 99-102). Although the 2017 Scoping Plan does state that lead agencies may develop evidence-based numeric thresholds for project EIRs consistent with the Scoping Plan, the Draft PEIR continues to use all of San Diego County’s emissions in the numerator and the entire San Diego County service population as a denominator when calculating the proposed project’s efficiency threshold (pp. 3-65 to 3-66).

R-L3-24

To be “evidence-based” and applicable to Master Plan emissions, the Draft PEIR should have used the airport-specific emissions in the numerator and airport-specific service population in the denominator. It is not a reasonable assumption that the airport-specific service population should include all potential airport users of the catchment area, since only a small percentage of the catchment area population would use the airport in a given year, if ever. By way of contrast, the Draft PEIR traffic analysis is based on vehicle trips generated by expected airport users, rather than all potential users of a geographic region.

<sup>1</sup> BAAQMD (2017), Air Quality Guidelines, Table 2-1; San Luis Obispo County APCD (2012), Greenhouse Gas Thresholds and Supporting Evidence, Table 10; SMAQMD (2015), Guide to Air Quality Assessment in Sacramento County (2015); SMAQMD Thresholds of Significance Table.

Such a calculation would result in a much lower efficiency threshold, one that would accurately measure the 2036 airport-specific emission reductions needed to be consistent with the 2017 Scoping Plan, the State’s long-term climate goals, and current scientific knowledge.

R-L3-24  
cont.

A Countywide efficiency threshold of significance that comprehensively includes all emissions sources in the County is not applicable to a relatively small airport project with limited emissions sources.

h) Further, as stated in the City’s comments on the original Draft PEIR, the operational impact analysis is inconsistent with CEQA Guidelines section 15064.4, which states, in part, that the significance of GHG emissions should be determined by whether the project increases GHG emissions *as compared to the existing environmental setting* (emphasis added). The operational impact analysis uses only a future baseline (future conditions without project); see, e.g., Table 3.1.5-6. However, the environmental setting (existing conditions) normally constitutes the baseline by which the lead agency determines whether an impact is significant. CEQA Guidelines Section 15125(a). A future baseline, if supported by substantial evidence, may also be used in addition to the existing environmental setting, but cannot be the sole baseline unless use of the existing environmental setting would be uninformative or misleading.

R-L3-25

*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439. The Draft PEIR cites FAA Guidance recommending comparison of future no project and proposed project emissions (p. 3-62), but this guidance does not supersede CEQA’s requirements for also presenting an analysis using an existing conditions baseline.

As in the City’s comments on the original Draft PEIR, the revised Draft PEIR still does not demonstrate that using an existing conditions baseline would be uninformative or misleading. Therefore, the Draft PEIR text should be revised to include an operational GHG emissions impact analysis using existing conditions as a baseline. The revised Draft PEIR apparently attempted to provide this analysis by presenting total future GHG emissions in new Tables 3.1.5-8 and 3.1.5-9, but there is no comparison of these future total GHG emissions to existing GHG emissions to allow Draft PEIR readers to understand the magnitude of the increase over existing conditions caused by the Master Plan.

i) As mentioned in the City’s comments on the original Draft PEIR, even under a future baseline, the GHG increases from operational activities are quite large (as shown in Table 3.1.5-6. a net increase of 13,469 MTCO<sub>2</sub>e/yr under Scenario PAL 1, and 24,115 MTCO<sub>2</sub>e/yr under Scenario PAL 2). Using an existing conditions baseline<sup>2</sup> would add an additional 15,290 MTCO<sub>2</sub>e/yr to these increases (Table 3.1.5-5 total minus Table 3.1.5-1 total). These large increases should be considered significant impacts whether a net zero or a 900 MT significance is used. Further, the analysis does not appear to include existing and future emissions by all of the various FBOs/tenants, and thus does not provide a complete picture of airport related GHG emissions (see, e.g. Table 3.1.5-2).

R-L3-26

j) Regarding plan conflicts, the revised Draft PEIR still does not recognize that the Master Plan’s combined construction and operational GHG emissions are significant because they are inconsistent with the 2017 Scoping Plan. The proposed project’s large GHG

R-L3-27

<sup>2</sup> Note that the revised Draft PEIR’s quantifications of existing and future no-project GHG emissions are too low because they omit mobile source emissions. See Tables 3.1.5-1 and 3.1/5-5, where motor vehicle emissions are shown as “N/A.”

emissions increases are inconsistent with the state’s ability to achieve the steep declines in GHG emissions called for in the 2017 Scoping Plan, and the proposed project should incorporate stationary and mobile source GHG reduction strategies described in the 2017 Scoping Plan. Contrary to the revised Draft PEIR’s assertion, the Scoping Plan, which serves as the fundamental statewide GHG reduction plan, is highly applicable to the Master Plan’s emissions even if it excludes explicit goals for reducing aviation GHG emissions.

The proposed project’s combined construction and operational GHG emissions should also be considered significant because they are inconsistent with the adopted County CAP. The revised Draft PEIR does disclose that the proposed project’s emissions are not included in the County CAP emission projections, which itself is a grounds for inconsistency. The new analysis purporting to show CAP consistency should be revised for at least two reasons. First, it uses the CAP “consistency checklist” as the exclusive means for determining proposed project consistency with the CAP. However, this checklist expressly applies to “development projects,” which means private development projects, rather than to discretionary approvals of new County facilities.<sup>3</sup> CAP consistency could appropriately be showing consistency with applicable CAP measures that are applicable to County facilities and the Master Plan,<sup>4</sup> but the revised Draft PEIR contains no such analysis. This analysis should be included to show the consistency of the proposed Project with the County CAP.

Second, the one (inapplicable) CAP measure consistency finding that the revised Draft PEIR does present needs further evidentiary support. The revised Draft PEIR assumes the proposed project will meet a 15 percent reduction in commute VMT emissions (Measure 1a), compared to the CAP’s 2014 baseline year, and makes assurances that the proposed project would comply with County policies targeting VMT reduction. However, the project description does not include commitments to any specific VMT reduction measures to accomplish this target, and the Draft PEIR transportation and air quality analyses do not show that the proposed project will achieve the 15% reduction target.

k) Based on the above comments, as stated in the City’s comments on the original Draft PEIR, the proposed project’s GHG emissions impact appears to be significant. The revised Draft PEIR should therefore be further revised to reach this conclusion and then present feasible measures or alternatives to avoid or substantially lessen this impact. Potentially feasible mitigation measures can be derived from the County CAP GHG reduction measures referenced above, from the City of Carlsbad’s adopted Climate Action Plan, and from the San Diego Forward Final EIR (e.g., Mitigation Measure GHG-4H). In addition, Section 4 of the Draft

<sup>3</sup> This is demonstrated by many checklist features, including “Application Information” page that requires the applicant’s name and contact information to be provided (p. A-1), and references to County Department of Planning and Development Services review of “development applications” (p. A-2). Furthermore, the checklist questions explicitly address only residential and non-residential projects, not County facilities for which the CAP contains a distinct set of GHG reduction measures. None of the checklist questions refer to a single CAP measure that applies to County facilities and operations (pp. A-6 through A-10).

<sup>4</sup> These measures include:

- E-2.4 Increase use of on-site renewable electricity generation for County operations
- T-2.3 Reduce county employee VMT
- T-3.2 Use alternative fuels in County projects
- T-3.4 Reduce the County’s fleet emissions
- E-1.4 Reduce energy use intensity at County facilities
- W-1.3 Reduce potable water consumption at County facilities

R-L3-27  
cont.

Climate Change Technical Report offers a number of GHG reduction mitigation measures that the County could implement as part of the Master Plan. These include electric-powered Ground Power Units and Ground Support Equipment, both of which the Technical Report considers to be potentially feasible.

R-L3-27  
cont.

l) The revised Draft PEIR should be further revised to use a proper baseline, proper thresholds of significance, and proper calculation methodologies and then provide appropriate mitigation for significant impacts.

R-L3-28

**III. Energy Use and Conservation Analysis, Revised Draft PEIR, Section 3.1.10**

The revised Draft PEIR now includes an energy impact analysis, as requested by City comments on the original Draft PEIR. However, the operational energy impact analysis should be further revised, because, like the operational GHG analysis, it does not compare energy future use to an existing energy use baseline. Rather, it uses only a future baseline as the basis for determining quantitative energy impacts. An EIR must quantify a project’s energy impacts compared to existing conditions, and then determine whether a proposed project may result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy. See, e.g., *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912; *California Clean Energy Com. v. City of Woodland* (2014) 225 Cal.App.4th 173.

R-L3-29

**IV. Revised Draft PEIR Figures Associated with Runway Protection Zones**

The RPZ maps are very different from the maps in the original Draft PEIR. Please explain why the maps have changed. Also, it appears that the RPZs are shrinking in the new maps. Please explain if this is indeed the case, and if so, why.

R-L3-30

**Response to Letter R-L3****City of Carlsbad**

- R-L3-1** This comment contains an email message by the City of Carlsbad submitting comments to the County. No response is required.
- R-L3-2** This comment indicates City of Carlsbad comments are enclosed. The County recognizes and appreciates the long-standing working relationship with the City, and the history of coordination between our two agencies. No response is required.
- R-L3-3** This comment includes introductory remarks regarding the City of Carlsbad's letter. No response is required.
- R-L3-4** As discussed in the **Response to Comment L3-105**, the County reviewed Conservation Easement Deed #2004-1123441 to verify whether the relocated MALSR lighting system would impact the recorded conservation easement. The County confirmed that implementation of the Master Plan Update (including relocation of the MALSR) would not impact or encroach into the existing conservation easement. Also see Final PEIR Figure 2.2-5 showing a delineation of the anticipated MALSR site within the Eastern Parcel.
- R-L3-5** The Master Plan Update and Draft PEIR previously identified the shift of existing navigational lighting, and the potential significant impacts to biological resources. The Final PEIR incorporates more specific information pertaining to the shift of the existing MALSR on the Eastern Parcel. This additional information does not substantially change the evaluation of comparative merits of the Proposed Project and does not present information that would impede attainment of the project objectives as it pertains to CEQA Section 15126. Accordingly, pertinent information is included in the Final PEIR but recirculation was not required.
- R-L3-6** PEIR Figure 2.2-1 (Regional Preserve Areas) illustrates conservation designations for County-owned land pursuant to the Draft North County (NC) MSCP. However, the "Preserve Area" polygon identified on Figure 2.2-1 reflected a combination of existing preserved land (i.e., conservation easement) and future preserved land as illustrated in the 2011 Hardline letter (cited in the PEIR). At this time, the future preserved land is designated as "PAMA". Figure 2.2-1 has been revised to reflect this on the Eastern Parcel as it will be (and is currently) reflected in the Draft NC MSCP, which is under ongoing review and consultation with the County and wildlife agencies.
- R-L3-7** With the Proposed Project and other projects within the Draft NC MSCP area, it is standard protocol to coordinate with the wildlife agencies on development projects. In the case of the Proposed Project, once specific elements of the Master Plan Update are designed and proposed, they would be discussed with the wildlife agencies to finalize the project-specific mitigation strategy. As discussed in Section 2.2.5 Mitigation Measures, all biological resources under the jurisdictions of federal, state, and local regulations will be mitigated in consultation and oversight of the applicable regulatory agency. Measures in this section discuss the approach to mitigation within areas subject to the Draft NC MSCP, and if the Draft NC MSCP is not adopted at the time project impacts would occur, mitigation would occur at the ratio defined by the County Guidelines for Determining Significance for Biological Resources and as required by jurisdictional regulatory agencies. No changes have been made to the PEIR.

- R-L3-8** As noted in **Response to Comment R-L3-6**, “Preserve Area” polygon identified on Figure 2.2-1 reflects a combination of existing preserved land (i.e., conservation easement) and future preserved land as illustrated in the 2011 Hardline letter (cited in the PEIR). The intent was to illustrate that upon approval and implementation of the Draft NC MSCP, both of these land categories would simply be titled, Preserve. However, Figure 2.2-5 has been added to the PEIR to illustrate the various designations with the proposed relocation of the MALSR navigation lighting system.
- R-L3-9** Please note that PEIR Section 2.2.2.1 (Special Status Species) does include a discussion of USFWS designated critical habitat for San Diego thornmint. Specifically, it stated that 10.2 acres is located within the biological study area; however, only 0.33 acre would be impacted. Nonetheless, the 0.33-acre area has been added to Section 2.2.1.1 (Regulatory Setting).
- R-L3-10** Please see **Response to Comment R-L3-7**.
- R-L3-11** The recirculated PEIR Section 2.2 did include an additional figure, numbered 2.2-3b showing the Eastern Parcel vegetation; however, it appears this was not embedded in the electronic version on the County’s website. Nonetheless, PEIR hardcopies distributed at the local libraries, and the PEIR’s Biological Technical Report Addendum (Figure 1) contained the noted figure. Figure 2.2-3b is included in the Final PEIR.
- R-L3-12** The Biological Technical Report Addendum (page 9) provides an impact analysis of potential effects to wildlife movement and nursery sites in regards to the MALSR relocation on the Eastern Parcel. Implementation would not result in significant impacts on wildlife movement or nursery sites on the Eastern Parcel and no mitigation is required. The analysis is added to PEIR Section 2.2.1.6 as requested by the commenter.
- R-L3-13** PEIR Section 2.2.2.1 has been clarified that while critical habitat for San Diego thornmint is located within the Proposed Project site (i.e., MALSR relocation), significant impacts would not occur to known locations of San Diego thornmint.
- R-L3-14** As discussed on page 4 of the Biological Technical Report Addendum, most of the area associated with the MALSR relocation “is within scrub oak-dominated mature chaparral, most of which does not have suitable soil types (i.e., heavy clay soil) or a sufficiently open canopy to support thornmint.” It would be overly speculative to conclude significance due to potential impacts for an area that is not conducive to suitability for the species. The MALSR relocation and all other project elements will be reviewed pursuant to CEQA Section 15162 at the time they are proposed, as discussed in **Master Response 10 (Program-level vs. Project-level Review)**. If site conditions have changed at the time the project-specific elements are proposed, updated biological surveys in conjunction with applicable jurisdictional agencies would be conducted.
- R-L3-15** The recirculated PEIR Section 2.2 (page 2-38) cites vernal pool mitigation in accordance with the strategy stated in the 2011 USFWS and CDFW Hardline letter. The letter states that creation/restoration would occur within fallow agricultural land, and as shown in the Eastern Parcel there are several polygons designated as PAMA under the Draft NC MSCP. Those areas were identified by the wildlife agencies for vernal pool mitigation due to historic mima mound topography, which are ideal for recreating the clay lenses associated with vernal pool habitat. The PEIR, which cites the 2011 Hardline letter and Draft NC MSCP, states that unavoidable vernal pool habitat mitigation at a “minimum 1:1 ratio” is consistent with the Draft NC MSCP’s Biological



Mitigation Ordinance (BMO) Section 86.518. The BMO also states “at least one part vernal pool creation/restoration” as minimum County requirements. However, as discussed in PEIR Mitigation Measure M-BI-3, if the Draft NC MSCP is not adopted at the time project impacts would occur, mitigation would occur at the ratio defined by the County Guidelines for Determining Significance for Biological Resources and as required by jurisdictional regulatory agencies.

**R-L3-16** Please refer to **Response to Comment R-L3-7**. Nevertheless, the 2011 Hardline letter does state that changes to the Hardline or Preserve areas would require written approval from the wildlife agencies, and as that statement is already included in the record for the Proposed Project, no further changes to the PEIR were made.

**R-L3-17** Please refer to **Responses to Comments R-L3-7 and R-L3-16**. Also, as stated in PEIR mitigation measure M-BI-8, the 2011 letter does not indicate a mitigation ratio for impacts to non-native grassland, but if the Draft NC MSCP is adopted at the time project impacts would occur, mitigation would occur at the applicable ratio defined in the plan. The mitigation ratios listed in PEIR Table 2.2-4 and Table 2 of the Biological Technical Report Addendum are considered estimates until the Draft NC MSCP is adopted. Relocation of the MALSR would impact both PAMA and Take Authorized areas defined by the Draft NC MSCP. If the mitigation ratios in the 2009 public review version of the Draft NC MSCP carry forward when the plan is approved, the County agrees the 0.5:1 mitigation would apply for this habitat type in the Take Authorized area and 1:1 mitigation ratio would apply within areas designated as PAMA. As stated in M-BI-8, if the NC MSCP is not adopted at the time project impacts would occur, mitigation for impacts to non-native grassland shall occur at a 0.5:1 ratio pursuant to habitat mitigation ratios applied for areas outside of approved MSCP as defined by the County Guidelines for Determining Significance for Biological Resources dated September 15, 2010. This has been clarified in the PEIR.

**R-L3-18** This comment includes general remarks regarding the recirculated PEIR Section 3.1.5 Greenhouse Gas Emissions. Specific responses are provided below for each respective comment. No changes have been made to the PEIR.

**R-L3-19** Although the previously published Climate Change Technical Report disclosed all aircraft-related emissions (see **Response to Comment L3-93**), the County acknowledges the initial Draft PEIR based its significance conclusions on the difference (or delta) in emissions that would occur in the future with and without the Proposed Project. After considering public comments, the recirculated PEIR Section 3.1.5 (Greenhouse Gas Emissions) was published, which included all aircraft emissions that would occur as a result of the two forecast planning scenarios (PAL 1 and PAL 2). As such, the County disagrees with the comment that aircraft emissions were not disclosed. Further, a subsequent comment from the City of Carlsbad (L3-25 second paragraph) acknowledges that total GHG emissions were provided.

The County also disagrees that aircraft emissions outside of the County's control should be included in the impact determination. As discussed in the Master Plan Update, the aircraft operations forecast indicated that operations will increase over the next 20 years at a modest level regardless of airport facilities or infrastructure. In other words, the Master Plan Update would not cause aircraft operations to increase; rather, the Master Plan Update was prepared to anticipate the natural increase in aircraft that would occur regardless of the Proposed Project and design facility improvements to accommodate that foreseeable demand. The incremental increase in aircraft operations projected in the Master Plan Update is expected to occur naturally, in response to market

conditions, throughout the 20-year planning period whether or not the Master Plan Update is implemented.

As a result, comparing the Master Plan Update's full implementation timeframe (i.e., 2036) to existing conditions (i.e., 2016) would be misleading and uninformative as conditions would naturally evolve over the 20-year planning period regardless of the implementation of the Proposed Project. Therefore, for the purposes of the PEIR analysis, emissions associated with the Proposed Project in 2036 were compared to environmental conditions projected to occur in 2036 without the Proposed Project. This methodology is consistent with the FAA Office of Environment and Energy, which requires the study of an implementation year with and without a proposed action to account for incremental changes that may occur in environmental conditions.

As explained above, facility improvements associated with the Master Plan Update would not change the Airport's uses. Additionally, the County's adopted Guidelines for Determining Significance for Climate Change uses consistency with the County's CAP for determining significance, which is not a quantitative threshold of significance as the City's letter indicates. The County's CAP is based on California's statewide Scoping Plan and is intended to help the County meet its share of statewide emissions reductions goals. As discussed in PEIR Section 3.1.5.1 Existing Conditions, the CARB Scoping Plan does not include aircraft emissions nor measures for reducing emissions from aviation sources. The County's Climate Change and Greenhouse Gas Emissions Analysis and other airport EIRs therefore exclude aircraft emissions from GHG significance conclusions (*note in the Burbank/Bob Hope Airport Terminal Replacement EIR dated June 2016, the EIR states "It is noted that GHG emissions associated with aircraft are under the jurisdiction of the FAA. The Authority [Burbank-Glendale-Pasadena Airport Authority] has no ability to regulate aircraft landing and take-off emissions." In addition, the AB32 Climate Change Scoping Plan states that "the State does not have regulatory authority over aviation" and "ARB has not identified aviation-specific measures."*)

- R-L3-20** Although the Master Plan Update does identify potential construction methods that could be used to construct a runway extension, this conceptual construction strategy is preliminary since engineering design plans have not been developed. As described in the PEIR, the exact scope, scale, and timing for construction of the Master Plan Update elements will be determined once funding is identified for project design engineering and construction. Therefore, the associated environmental impact for each element, and the Master Plan Update as a whole, is analyzed at a programmatic level for the purpose of environmental analysis. Additional analysis under CEQA will be required for projects at the time that they are designed and proposed. As project elements of the Master Plan Update are designed, potential construction methods would be identified at that time, including whether portions of the gas collection control system would need to be temporarily or permanently relocated. Also, please refer to **Master Response 10 (Program-level vs. Project-level Review)**, regarding program-level and project-level environmental review. No changes to the PEIR were made in response to this comment.
- R-L3-21** The comment requests the PEIR to include a quantitative threshold that applies to all project emissions, including construction, aviation, and non-aviation sources. The County disagrees that this information was not provided, see **Response to Comment L3-93**. Specifically, Table 3.1.5-10 identifies GHG emissions associated with all operation uses, including aircraft and non-aircraft (including ground support equipment, motor vehicles, stationary sources, and electrical consumption). Furthermore, those emissions from Table 3.1.5-10 were combined with all construction-related GHG

emissions and were presented in Table 3.1.5-11. Those emissions were then compared to the same quantitative service population threshold for analysis as shown in Table 3.1.5-11.

The comment also includes an excerpt from the PEIR and asks the County to clarify the statement. While this comment does not provide input or remarks concerning the PEIR's environmental analysis, the excerpt was intended to clarify that state and local emissions reductions plans do not have thresholds relevant to aircraft emissions. No changes to the PEIR were made in response to this comment.

- R-L3-22** The comment requests the PEIR to be revised to combine construction and operation emissions and compare it to the 900 MT CO<sub>2</sub>e CAPCOA screening level. As explained in the supplemental GHG Emissions Memo and recirculated PEIR Section 3.1.5, the 900 MT CO<sub>2</sub>e CAPCOA screening level was applied separately for construction and operational emissions. Because the amortized construction emissions would not exceed the screening level, no further analysis was warranted. However, because the operational emissions would exceed the screening level, the Proposed Project was then evaluated under the service population metric (i.e., efficiency metric), which not only evaluated operational emissions but also in combination with total construction emissions. Please see PEIR Table 3.1.5-11.

Furthermore, the City of Carlsbad's Comment L3-21 states that CEQA Guidelines Section 15064.4 gives each lead agency the affirmative duty to develop its own GHG methodologies and thresholds for each regardless of project type. Accordingly, in its independent evaluation and as explained in the published supplemental GHG Emissions Memo, the County determined the revised thresholds in the recirculated PEIR Section 3.1.5 meet the state's reduction requirements, and is supported by substantial evidence. Specifically, please refer to the supplemental GHG Emissions Memo Section 3.A.i for further discussion and justification of the 900 MT CO<sub>2</sub>e CAPCOA screen level. See **Response to Comment R-L3-21** outlining the full disclosure of project emissions. In PEIR Section 3.1.5.3 Cumulative Impact Analysis, the construction and operations emissions were combined and compared to the 2036 Service Population significance threshold as reflected in Table 3.1.5-11. No changes to the PEIR were made in response to this comment.

- R-L3-23** The County implements the statewide emissions reduction goals through the adopted CAP, which includes a net zero threshold for General Plan Amendments. However, the Proposed Project is not a General Plan Amendment, and therefore the PEIR uses a project-specific threshold that demonstrates the Proposed Project would not interfere with County's GHG reduction goals. Furthermore, the 2017 Scoping Plan recommends, but does not require, a net zero emission threshold. While it may be appropriate in some cases, it is not applicable for all projects, and particularly those with aviation emission sources. As stated in the 2017 Scoping Plan, "[a]chieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA." As noted throughout these responses to comments, the County has no regulatory authority or control over aviation or air travel emissions, and there are no measures that could ensure the Proposed Project could feasibly achieve net zero emissions.

The County implements statewide emissions reductions goals discussed in the CARB's Scoping Plan via the County CAP. As discussed in PEIR Section 3.1.5.1 Existing Conditions, the County CAP includes a net zero threshold for General Plan

Amendments, and the Master Plan Update does not require such an action. The project therefore uses a project-specific threshold, meets applicable CAP measures, and will not interfere with the County's GHG emissions goals. County CAP measures related to airport facility operations will be implemented programmatically on this and other County facilities regardless of the Master Plan Update also discussed in PEIR Section 3.1.5.1 Existing Conditions. No changes to the PEIR were made in response to this comment.

- R-L3-24** The use of an efficiency threshold and service population metric is appropriate for the Master Plan Update as it applies to program-level environmental analysis similar to a long-range planning document (i.e., local plan), as the 2017 Scoping Plan intended. The County disagrees that the PEIR uses an incorrect service population threshold. The County acknowledges that the 3.01 MT service population threshold is a conservative estimate because it incorporates SANDAG's countywide population estimations. As explained in the PEIR Section 3.1.5, using the countywide population is appropriate because the 2017 Scoping Plan recommended a community-wide goal for local agencies; therefore, SANDAG's documented 2030 population estimations were the most appropriate to generate a revised threshold.

Now that a revised threshold has been established, the PEIR Section 3.1.5 uses a more-focused, Airport-specific service population to calculate and evaluate the Proposed Project's GHG emissions. A more-focused service population was utilized in order to capture potential users surrounding the Airport. This was also recommended by the City of Carlsbad's comment letter on the original Draft PEIR. Specifically, the City stated, "...the DEIR improperly uses the entire San Diego County service population as a denominator when calculating the proposed project's efficiency metric; to be accurate, it should have used the project-specific Master Plan's service population." The County agreed with this approach, and the recirculated PEIR Section 3.1.5, page 3-66, subheading "Project-specific Service Population" explains how the analysis was revised to consider a more Airport-specific service area. No further changes have been made to the PEIR.

- R-L3-25** Please refer to **Response to Comment L3-74** (related to Noise), which has been repeated here in the context of GHG emissions. Pursuant to CEQA Guidelines Section 15125(a), each section of the PEIR includes a discussion of the environmental baseline, and for GHG emissions that discussion is located in Section 3.1.5.1 (Existing Conditions) and calculated in Table 3.1.5-1.

As discussed in the Master Plan Update, changes in operational levels are expected to increase annually at a modest level as compared to the previous planning period regardless of whether any of the Master Plan Update improvements are made. In other words, the project does not cause the increased aircraft activity. Also see **Response to Comment R-L3-19**. The forecast scenarios reflect assumptions about the increase in aircraft operations over time (referred to planning activity levels, or PALs) and are not dependent on airfield capacity improvements or other infrastructure improvements. Rather, the forecasts were developed to anticipate foreseeable demand for Airport facilities and infrastructure. As a result, this would help identify which facilities should be improved to meet the projected forecast.

However, because the County must issue ground leases to allow for commercial air service at the Airport, this would be considered a discretionary action. As such, for the purposes of CEQA, the PEIR includes both facility improvements and commercial air service operations as part of the Proposed Project. Furthermore, it would be misleading and uninformative to presume the County has discretion or control over non-commercial

aircraft operations, such as general aviation, charter, military, etc. Also, potential changes in environmental conditions (i.e., greenhouse gas emissions) were calculated to naturally change regardless of the County's proposed facility improvements or approval of commercial air service operations (i.e., Proposed Project). Comparing the Master Plan Update's full implementation timeframe (i.e., 2036) to existing conditions (i.e., 2016) would also be misleading and uninformative as conditions would naturally evolve over the 20-year planning period regardless of the Proposed Project. Therefore, for the purposes of the PEIR, emissions associated with the Proposed Project in 2036 were compared to environmental conditions projected to occur in 2036 without the Proposed Project in order to show impacts associated with the project. This methodology is consistent with the FAA Office of Environment and Energy, which requires the study of an implementation year with and without a proposed action to account for incremental changes that may occur in environmental conditions.

Nonetheless, existing environmental conditions have been disclosed for greenhouse gas emissions (Table 3.1.5-1). However, for the purposes of CEQA impact analysis, only the discretionary actions attributable to the Proposed Project are considered, including project-related emissions shown in Tables 3.1.5-8 and 3.1.5-9, and how the project-related emissions compare to the identified threshold (Table 3.1.5-10).

**R-L3-26** Please refer to **Response to Comment L3-25** (regarding analysis of existing conditions) and **Response to Comment L3-99** (regarding FBOs/tenants). No further response is required.

**R-L3-27** CARB's Scoping Plan is a statewide policy document implemented by local jurisdictions to reduce their local share of emissions. The County implements statewide emissions reductions goals discussed in the CARB's Scoping Plan via the County CAP. Consistency with the CAP is discussed in the County's Guidelines for Significance under CEQA. The County disagrees with this comment that the Proposed Project is inconsistent with the 2017 Scoping Plan. The comment does not provide supporting evidence for its claim that a significant impact would occur or justification why mitigation is necessary. No changes have been made to the PEIR.

The County also disagrees that the PEIR relied on the County CAP Consistency Checklist solely as a means for determining consistency. As the comment itself explains, the PEIR disclosed that the Proposed Project emissions were not included in the CAP; therefore, a consistency determination cannot be made. To clarify, the published PEIR Section 3.1.5 states, "*because the CAP and the County GHG Guidelines are based upon the land use assumptions of the 2011 General Plan, the fact that the Airport Master Plan improvements were not included in the 2011 General Plan means that the CAP cannot be used to streamline the review of GHG emission from the Proposed Project... As such, although the CAP cannot be used to streamline the review of GHG emissions from the Proposed Project, a Project-specific climate change analysis was completed in compliance with the CAP to analyze potential Project-related impacts and to show consistency with the CAP.*" In other words, although the Proposed Project cannot rely on the CAP Consistency Checklist, the PEIR Section 3.1.5 discusses the applicable methodology for evaluating project-specific emissions, and elements of the County's CAP and how the airport, and the project comply with CAP's measures. PEIR Section 3.1.5.2.2 Conflict with Plans, Policies or Regulations discusses the applicability of GHG reduction plans and specific CAP measures and strategies implemented at Palomar Airport and system-wide for public projects including other airports. While the reduction of aircraft-related emissions are not within the County's jurisdiction to regulate and are not in the CARB Scoping Plan or County's CAP, the Proposed Project is consistent with applicable measure for County-owned facilities and

would not impact or impede implementation of the CAP. No changes have been made to the PEIR.

The County would also like to clarify that because the roadways surrounding the Airport are owned and maintained by the City of Carlsbad, the County has no authority to regulate the vehicle trips on the City's roadway network. The City of Carlsbad adopted its own Climate Action Plan to account for facilities within its jurisdiction. Rather, Measure 1a referenced in this comment is associated with County-owned facilities applicable to County policies, and the County can only manage components under its regulatory oversight. As explained in the PEIR, impacts associated with GHG emissions would be less than significant, and no mitigation is required. Therefore, while the County is committed to complying the reduction measures identified in Table 3.1.5-12, they are not deemed mitigation. No changes have been made to the PEIR.

- R-L3-28** Please see **Responses to Comments R-L3-19 through R-L3-27**.
- R-L3-29** Please refer to **Response to Comment L3-74**, which states that potential changes in environmental conditions were calculated to naturally change regardless of the County's proposed facility improvements or approval of commercial air service operations (i.e., Proposed Project). While **Response to Comment L3-74** is associated with Noise, its overall context applies to this comment. As a result, comparing the Master Plan Update's full implementation timeframe (i.e., 2036) to existing conditions (i.e., 2016) would be misleading and uninformative as conditions would naturally evolve over the 20-year planning period regardless of the Proposed Project.
- R-L3-30** Please refer to **Master Response 11 (Runway Protection Zones)** regarding changes to the RPZs.

| Comment Number   | Commenter   |
|--|---|
| R-I30  | Pia Romano  |
| R-I31  | Suzanne Thorley   |
| R-I32  | May Anne Viney  |
| R-I33  | Raymond Bender [submitted after comment period closed. No response included.] |
| R-I34  | Raymond Bender [submitted after comment period closed. No response included.] |
| <b>Legend: R = Recirculation; S = State Agency; L = Local Agency; O = Organization; I = Individual</b> |   |

## **D.2 Master Responses**

A number of the comments received on the Draft PEIR addressed the same or similar issues and environmental concerns. Rather than repeat responses to recurring comments in each letter, the master responses outlined in this section were prepared. Each response to comment references these master responses where applicable.

### **D.2.1 Master Response 1 – Recirculation of the EIR**

In accordance with CEQA Section 15088 and 15088.5, on January 18, 2018, the McClellan-Palomar Airport Master Plan Update and Draft Program Environmental Impact Report (PEIR) were circulated for public review for 61 days concluding on March 19, 2018. Several comments were received that generally state that portions of the Draft PEIR were insufficient and should be revised and recirculated for an additional round of public review and comment. After reviewing public comments, staff recirculated portions of the Master Plan Update and Draft PEIR, including Biology, Greenhouse Gas Emissions, Energy, and several exhibits pertaining to the runway protection zones. The recirculation included a Reader's Guide, which is provided to explain changes between the project's Draft PEIR the Revised Draft PEIR, which was the topic of recirculation.

There are no significant changes to the Master Plan Update alternatives. The objectives of the project remain the same: to maximize safety and efficiency of McClellan-Palomar Airport (Airport) and accommodate forecasted demand in the next 20-year planning period. As with any high profile project with extensive community outreach, the County received a large number of public comments with recommendations on how to address potential environmental impacts. The County decided in the interest of collaboration and building a stronger project to incorporate those suggestions into the CEQA administrative record. Some of those changes warranted notifying the public of the opportunity to provide feedback, which is why the County recirculated portions of the documents.

### **D.2.2 Master Response 2 – Public Review Period Extension**

During the Draft PEIR public review period (January 18 – March 19, 2018), several commenters requested an extension of the initial 45-day review period. State CEQA Guidelines define the process and durations for public review. CEQA Section 15105(a) states that public review for a draft EIR shall be no less than 30 days and no greater than 60 days, except under unusual circumstances. In response to public request, the original public review period for the Master Plan Update was extended to 61 days.

Regarding the recirculated portions of the Draft PEIR, only a few sections were revised and published for another public review period. As such, the scope of the review was narrowed and more defined for public comment. Therefore, the standard public review period of 45 days was adhered to following State CEQA Guidelines.

The County previously provided notice of the opportunity to review and comment on the Draft PEIR (include recirculated portions) in accordance with CEQA Guidelines Section 15087. This includes written notice to persons or organizations who requested written notice and posting notices of preparation. In addition, notice has been provided on the County's website, in press releases, and at Palomar Airport Advisory Committee meetings.

### **D.2.3 Master Response 3 – Voluntary Noise Abatement Procedures**

Multiple comments requested the Voluntary Noise Abatement Procedures (VNAP) and associated flight paths be made mandatory with enforcement. In 1990, the Airport Noise and Capacity Act was enacted which prohibits airport owners/operators from implementing curfews or otherwise restricting hours of operation without FAA approval. Airports that had curfews prior to 1990 were allowed to keep them in place. However, a curfew was not in place at McClellan-Palomar Airport. After 1990, curfews may only be granted by FAA if a Part 150 noise study demonstrates that residential land uses are located within an airport's 65 CNEL noise contour. Following completion of a Part 150 noise study in 2006, the County submitted a request to implement a curfew for McClellan-Palomar Airport. The FAA denied the request because the study showed there are no residences inside the 65 CNEL noise contour. There have been no significant operations changes at their airport since 2006. Even if all project elements in the proposed Master Plan Update are implemented, there would be no residential uses inside the 65 CNEL; and as such, there would be no justification for the FAA to approve a mandatory curfew or restricted hours of operation.

For comparison, John Wayne Airport and San Diego International Airport both have curfews that were in place before the Airport Noise and Capacity Act was adopted in 1990. John Wayne Airport established a curfew in 1985, prohibiting departures between 10 p.m. to 7 a.m. and arrivals between 11 p.m. and 7 a.m. San Diego International Airport adopted regulation in 1989 restricting overnight flights from leaving (there are no time restrictions for arriving flights). Airlines that take off from San Diego International Airport between 11:30 p.m. and 6:30 a.m are fined depending on how frequently they have broken the curfew.

The proposed Master Plan Update anticipates that over time the types of aircraft using the airport will continue to trend from smaller, slower, lower propeller planes to quieter corporate business jets. In terms of noise impacts, corporate jets are quieter. Not only do they have quieter, more efficient engines, but they also descend into and ascend out of the airport area faster. Faster and steeper take offs and landings mean less ground-level noise, both in volume and duration. The Master Plan Update proposes a runway extension for departing aircraft, which allows them to get airborne sooner. There is a modest amount of growth forecast in aircraft take offs and landings, but operations are still expected to be nearly 30% less than the peak number of aircraft operations experienced at the airport in 1999.

Only the FAA can control aircraft in flight, but the County takes noise in the community seriously and has a dedicated full-time noise officer to assist with community noise concerns. When the Draft PEIR was circulated for public review in January 2018, two noise monitoring microphones were already stationed within the community (south and east of the Airport). The noise monitoring microphones record noise events qualified as above 65dB for more than five seconds. County staff use this data to assist community members with noise complaints. As of October 2018, the County is working to install two additional monitors on the north and west sides thereby covering all four sides of the Airport. The information from these noise monitors will be used by County staff to review noise concerns and share details with the public about specific noise events.

The County continues to improve its VNAP program and will continue to work with and educate pilots on how best to minimize aircraft noise impacts. Improvements include expanding VNAP education and outreach with flight schools and pilot groups throughout the region. Specifically, the County has started working with other local airports such as Gillespie Field and Montgomery Field



to share McClellan-Palomar Airport's VNAP with pilots and to encourage pilots to be courteous visitors to the Airport.

The County will also continue working with our aviation businesses to ensure their pilot briefing rooms are always stocked with the latest VNAP publications, and existing VNAP signage has been improved at both ends of the runway to encourage and remind pilots to follow the VNAP.

The Palomar Airport Advisory Committee (PAAC) routinely reviews the most current noise reports at each committee meeting. In November 2017, the PAAC approved the formation a sub-committee, including various members of the community, to discuss methods of reporting and reviewing VNAP information, such as providing the statistics about flights that occur outside of the "quiet hours."

#### **D.2.4 Master Response 4 – Noise Monitors and PEIR Calculations**

Several commenters expressed concern there were not enough noise monitors in the community claiming the Draft PEIR noise analysis is flawed because only two monitoring stations were deployed at the time when environmental studies were completed. This Master Response has been prepared to describe how aircraft noise was calculated for the Draft PEIR, and addresses the misconception that noise monitors are required for conducting environmental review.

There are three main criteria when analyzing aircraft noise. First, flight tracks (or flight paths) are analyzed to see where aircraft are flying. Second, the analysis includes which types of aircraft are using those flight tracks. And third, the frequency and time of day for the number of aircraft operations is included to identify how many are occurring. This information is gathered and entered along with runway dimensions and topography. Utilizing all of these factors, a noise contour is generated.

The Draft PEIR evaluated noise conditions in the vicinity of the airport using actual data collected from the calendar year 2016 to determine noise level exposures. The 2016 data is used as a baseline condition in the Draft PEIR. The report also looks at noise levels for 2036, based on the FAA model, using data from the Master Plan's long-term aviation forecast. When noise was modeled with the forecast for 2036, the noise contours shrunk from those anticipated in the 1997 Master Plan. Noise contours are used for planning various land uses surrounding the airport by the City of Carlsbad and the San Diego County Regional Airport Authority.

In regards to single noise events, as discussed in Section 2.4.2 of the Draft PEIR, potential noise impacts associated with the Proposed Project were studied using standard tools, methodologies, and significance criteria for aircraft noise as established by the FAA. Specifically, FAA Order 1050.1F Desk Reference (Section 11.4) explains that Day-Night Average Sound Level DNL is the recommended metric for analyzing aircraft noise exposure, and should continue to be used as the primary metric. When measuring noise for airports in California, the standard metric is to use the federal requirement for Community Noise Equivalent Level (CNEL). The CNEL standard also uses a 24-hour average measurement for the model. FAA Order 1050.1F also states there are no new metrics of sufficient scientific standing to substitute for DNL/CNEL. The noise from aircraft operations is measured for the whole day and night; not just single events of a take-off or landing. Noise that occurs during the evening or night hours is weighted or penalized and counts more against the measurement. The 65 CNEL is the level in which noise impacts and land use compatibility are analyzed. If residential or other noise sensitive areas are at or above 65 CNEL, additional analysis is needed. For McClellan-Palomar Airport, no residential areas are located within the airport's 65 CNEL noise level boundary for both current and long-term conditions.

FAA criteria require that the determination of significance must be analyzed through the use of noise contours along with local land use information and general guidance contained in Appendix

A of 14 CFR Part 150. Preparation of noise contours associated with airport and aviation projects is the standard means of assessing potential noise impacts associated with airport and aviation projects under both state and federal guidance. Accordingly, preparation of noise contours for purposes of identifying potential noise impacts associated with the Proposed Project is sufficient to identify potential noise impacts associated with the Proposed Project.

As noted in FAA Order 1050.1F Desk Reference, supplemental noise measurements, such as single events, may be conducted to assist in the public's understanding of the Airport's noise conditions. Therefore, although single noise events are not used as the County's threshold of significance, the County continues to consider single noise events through the existing VNAV measures in consultation with the community and local residents. The noise monitors deployed in the community are used by the County solely as additional information source to assist in community concerns and investigations. ANOMS flight track data is also used to determine aircraft information. Therefore, while the noise monitors are not used for the environmental analysis, they continue to be an important function and tool to monitor noise events throughout the community. See Master Response 3 for additional information on noise monitors.

### **D.2.5 Master Response 5 – Airport Expansion / Public Vote**

Several comments expressed concern that the proposed Master Plan Update would result in an “expansion” of the airport; and as such, these commenters believe the Master Plan Update should require a vote by Carlsbad citizens according to City of Carlsbad Municipal Code Section 21.53.015.

City of Carlsbad Municipal Code Section 21.53.015 was adopted by the City of Carlsbad in 1980 to prevent “expansion of the airport”. Expansion refers to enlargement of the airport's physical boundaries; not an extension of the runway or other changes within the airport's existing footprint. All of the project elements identified in the Master Plan, including the runway extension, remain on the existing airport property and will be accomplished within the existing footprint. Multiple commenters refer to the “airport expansion” project in their comments, which the County presumes is in reference to the proposed Master Plan. The County disagrees with this terminology. However, to avoid redundancy in the County's responses, the County will not correct this terminology in every instance. Rather, it shall be stated here that the County does not agree with this description but understands this terminology is how various commenters refer to the Master Plan.

Furthermore, Carlsbad Municipal Code Section 21.53.015 requires both a legislative enactment or action in preparation for a legislative enactment by the City Council and an “expansion” (as that term is used in the code section) to require a vote. None of the project elements in the proposed Master Plan Update would require a legislative enactment from the City Council (e.g., general plan amendment, zone change); and as noted above, would not result in an expansion of the airport. The City of Carlsbad website also confirms, *“Since all of the proposed changes will occur within current airport property, the city's legal team has concluded that the plan does not call for an expansion...The city has not identified any aspect of the master plan or its implementation that would require this kind of legislative action.”*<sup>1</sup>

In 1980, the City also issued Conditional Use Permit (CUP) 172 to grant the County the right to make alterations to facilities that are necessary to the operation of the airport. The proposed Master Plan Update is consistent with the CUP because it proposes changes to existing facilities that are necessary to provide for the safe and efficient operation of the airport. Moreover as explained in the Draft PEIR, given the scope of uses allowed by right pursuant to CUP-172 as amended, the County has voluntarily remained in compliance with the use permit, but reserves the right to assert immunities from City zoning ordinances and other building and land use regulations

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<sup>1</sup> City of Carlsbad website accessed 7/6/18: <http://www.carlsbadca.gov/residents/airportmasterplan.asp>

under state law to operate the Airport in a manner consistent with federal obligations or County objectives.

## **D.2.6 Master Response 6 – Existing Airport Activity**

Several comments expressed concern about the current conditions associated with existing Airport noise, traffic, air pollution, and safety hazards. As noted in the Master Plan Update and Draft PEIR, the Master Plan Update was prepared to plan for the Airport's future while enhancing operations and safety. Therefore, most of the PEIR issue areas analyze the changes proposed in the future with a starting point or baseline of existing conditions. The Master Plan Update is intended to create a new blueprint for development of the Airport over the next 20-year planning cycle. As such, the Draft PEIR was prepared to analyze potential environmental effects associated with the proposed activities identified in the Master Plan Update through 2036.

The existing environmental conditions at and around the Airport were documented as required by the CEQA Guidelines, and were used as baseline conditions to determine the potential environmental impacts of the Project. Furthermore, CEQA Guidelines Section 15126.2 requires the assessment of a project on the environment, including potential changes in the existing physical conditions. This does not require an agency to analyze impacts of existing conditions, nor is that within the scope of the project.

Also see Master Response 4 for discussion of noise and what the County is currently doing to support and enhance the Airport's voluntary noise abatement procedures. The following Master Response 7 also provides insight on FAA's involvement and oversight of aircraft activity.

## **D.2.7 Master Response 7 – FAA Involvement and Oversight**

The FAA oversees aviation facilities by providing regulations and standards for operating aircraft, licensing pilots, and certifying commercial airports like McClellan-Palomar Airport. The FAA is responsible for air traffic control which includes flight paths, and controlling aircraft while flying and while moving on the ground, such as the runway and taxiways. The FAA also has a lesser-known regulatory role. In exchange for providing federal grant funding for making airport improvements, airport owners, like the County, must make binding commitments to the FAA on how the airport operator must operate the airport. This requires the County to make the airport available to "all types, kinds and classes of aeronautical uses." Simply put, the County cannot limit the types of aircraft that use McClellan-Palomar Airport or when those aircraft can operate.

A pilot's responsibility depends on whether or not the aircraft is general aviation, such as private corporate aircraft, or a commercial airline. For private aircraft, the pilot is responsible for determining whether or not they can safely land their plane at an airport. For commercial pilots, the FAA, as part of their certification for commercial airlines, identifies the airports where the commercial planes can land.

The County operates and maintains the airport to ensure safety for the users of the airport. The County manages the facilities, including constructing airport improvements and planning for the airport's future; provides airport security and firefighting response services; manages leases for the businesses who operate at the airport; and coordinates with the FAA to ensure the airport is properly managed, maintained, and complying with FAA regulations. The County does not have the authority to limit how many aircraft use the airport or to limit the size of the aircraft landing at the airport.

## **D.2.8 Master Response 8 – Commercial Airline Service**

Several commenters expressed a desire to see increased commercial airline service at the airport, including a variety of destinations and increased flights. Other commenters expressed the opposite desiring fewer commercial airline flights or possibly relocating commercial activity to another airport in the region.

While the County does issue leases to commercial airlines allowing them to use the airport ground facilities, the County does not dictate the location, frequency, or companies that choose to utilize the airport for commercial airline service. Nonetheless, the proposed Master Plan Update does anticipate that commercial airline service would increase over the next 20 years as San Diego International Airport reaches its capacity. As such, an increase of future aircraft operations and commercial passengers would occur at the airport regardless of whether or not the Master Plan Update is implemented, or whether the existing airport layout remains the same or if the proposed safety improvements or runway extension occur in the future.

By the Year 2036, enhanced commercial service at the airport may provide convenience to 800 to nearly 1,600 daily North County residents by reducing drive times of traveling to Lindbergh, John Wayne, or LAX; and will add value to the region's vibrant business community. Commercial service is a relatively small percentage of the overall activity at the airport even at the highest level analyzed in the Master Plan Update (575,000 annual enplanements) commercial service accounts for less than 13% of the total aircraft operations forecasted in Year 2036.

## **D.2.9 Master Response 9 – Increase in Aircraft Operations**

Several commenters expressed concern that aircraft operations may increase as a result of the Master Plan. As explained in the Master Plan Update and Draft PEIR, modest growth of aircraft use at the airport is expected over the next 20 years, whether or not the County enhances the Airport's facilities, as described in the Master Plan. McClellan-Palomar Airport is a Public Use Airport, so any member of the public can use the airport if they choose. The County's main function is to ensure the airport remains safe and efficient for all airport users. The Master Plan Update improvements will not cause an increase in aircraft operations.

## **D.2.10 Master Response 10 – Program-level vs. Project-level Review**

Several comments requested detailed environmental review of specific project elements identified in the proposed Master Plan. As noted in the Draft PEIR, areas of potential impact are estimated for the project elements, as they have not been developed sufficiently to quantify exact impacts in most cases, and therefore, are analyzed at a programmatic level. Once funding is identified for the design engineering and construction of individual Master Plan Update project elements, additional analysis under CEQA will be required for projects at the time that they are designed and proposed.

Furthermore, the proposed Master Plan Update meets the CEQA definition of a project for a program of activities. Specifically, as described in CEQA Guidelines 15168(a), the Master Plan Update consists of “one large project” that covers “a series of actions” that are linked “geographically, as logical parts in a chain of contemplated actions; in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”

Accordingly, the County prepared a Program EIR consistent with the requirements of CEQA Guidelines Section 15168. The Draft PEIR is programmatic in nature, as it analyzes the potential environmental effects of the Master Plan, but it does not specifically analyze individual projects or actions because the design details are not yet available. This is consistent with the requirements of

CEQA. The County will implement specific activities proposed under the Master Plan, determining whether they are consistent with the activities identified in the Final PEIR, and determining whether sufficient evaluation of the potential environmental impacts associated with these later activities has been provided in the Final PEIR for the Master Plan. These later activities would be examined in light of the information in the Draft PEIR to determine whether an additional environmental document must be prepared. During this examination, if the County finds pursuant to CEQA Guidelines section 15162 that no new significant effects are identified or no new mitigation measures would be required on a subsequent project, the activity can be approved as being within the scope of the project covered by the Final PEIR.

Therefore, the proposed Master Plan Update and the Final PEIR are based on substantial evidence and work together to provide the programmatic environmental review and streamlining mechanism for the evaluation of environmental impacts for future anticipated development projects.

### **D.2.11 Master Response 11 – Runway Protection Zones (RPZ)**

The County made revisions to the Runway Protection Zone figures in the PEIR to give the public clear information on the FAA-designated safety areas around the runway approach and departure zones. The Master Plan Update Table 2.2 identifies the RPZ dimensions required for the runway under existing conditions. However, it should be clarified that the current FAA-approved Airport Layout Plan (ALP) dated July 2010 reflects a larger RPZ than what is required for Runway 24's approach. In other words, Runway 24's approach RPZ (i.e., east end of the runway) was drawn larger than FAA requirements. Therefore, the additional RPZ figures were included in the Master Plan Update and recirculated portions of the PEIR to illustrate how the RPZs dimensions surrounding the Airport would be redrawn to maintain the FAA-designated visibility approach minimums. The Master Plan Update Table 4.11 further identifies the RPZ dimensions under the Airport's current conditions, the dimensions for a B-II classified Airport, and the dimensions for a D-III classified Airport.

## **D.3 Comment Letters Received and Responses to Comments**

### **D.3.1 Original Draft PEIR**

This section presents copies of comments on the Draft PEIR received in written form during the Draft PEIR's original public review period (January 18 – March 19, 2018), and it provides the County of San Diego's responses to those comments. Each comment letter is assigned an alphanumeric code, and the topics within each comment letter are bracketed and numbered. Comment letters are followed by County responses, which are numbered to correspond with the bracketed comment letters.