

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

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Mark Kersey
Robert T. Lloyd
Paul Robinson
Johanna S. Schiavoni
Michael Schumacher
Mark B. West

Ex-Officio Board Members

Cory Binns
Col. Charles B. Dockery
Jacqueline Wong-Hernandez

President / CEO

Kimberly J. Becker

AIRPORT LAND USE COMMISSION **AGENDA**

Thursday, October 4, 2018
9:00 A.M. or immediately following the Board Meeting

San Diego International Airport
SDCRAA Administration Building – Third Floor
Board Room
3225 N. Harbor Drive
San Diego, California 92101

***Live webcasts of Authority Board meetings can be accessed at
<http://www.san.org/Airport-Authority/Meetings-Agendas/ALUC>***

Pursuant to California Public Utilities Code §§ 21670-21679.5, the Airport Land Use Commission ("Commission") is responsible for coordinating the airport planning of public agencies within San Diego County. The Commission has the legal responsibility to formulate airport land use compatibility plans ("ALUCPs") that will (a) provide for the orderly growth of each public airport and the areas surrounding the airport within the County and (b) safeguard the general welfare of the inhabitants within the vicinity of each airport and the public in general. Pursuant to §21670.3, the San Diego County Regional Airport Authority serves as the Commission.

This Agenda contains a brief general description of each item to be considered. The indication of a recommended action does not indicate what action (if any) may be taken. ***Please note that agenda items may be taken out of order.*** If comments are made to the Commission without prior notice or are not listed on the Agenda, no specific answers or responses should be expected at this meeting pursuant to State law.

Staff Reports and documentation relating to each item of business on the Agenda are on file in the Board Services/Authority Clerk Department and are available for public inspection.

NOTE: Pursuant to Authority Code Section 2.15, all Lobbyists shall register as an Authority Lobbyist with the Authority Clerk within ten (10) days of qualifying as a lobbyist. A qualifying lobbyist is any individual who receives \$100 or more in any calendar month to lobby any Commission Member or employee of the Authority for the purpose of influencing any action of the Authority. To obtain Lobbyist Registration Statement Forms, contact the Board Services/Authority Clerk Department.

PLEASE COMPLETE A "REQUEST TO SPEAK" FORM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE AUTHORITY CLERK. PLEASE REVIEW THE POLICY FOR PUBLIC PARTICIPATION IN BOARD AND BOARD COMMISSION MEETINGS (PUBLIC COMMENT) LOCATED AT THE END OF THE AGENDA.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

NON-AGENDA PUBLIC COMMENT:

Non-Agenda Public Comment is reserved for members of the public wishing to address the Commission on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Commission. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

Note: Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Commission.

CONSENT AGENDA (Item 1-2):

The Consent Agenda contains items that are routine in nature and non-controversial. It also contains consistency determinations that have been deemed consistent or conditionally consistent. The matters listed under 'Consent Agenda' may be approved by one motion. Any Commission Member may remove an item for separate consideration. Items so removed will be heard before the scheduled New Business items, unless otherwise directed by the Chair.

1. APPROVAL OF MINUTES:

The Airport Land Use Commission is requested to approve minutes of prior meetings.

RECOMMENDATION: Approve the minutes of the September 13, 2018 special meeting.

2. REPORT OF DETERMINATIONS OF CONSISTENCY WITH AIRPORT LAND USE COMPATIBILITY PLANS:

The Airport Land Use Commission is requested to receive a report of determinations of consistency with Airport Land Use Compatibility Plans issued by staff.

RECOMMENDATION: Receive the report.

(Planning & Environmental Affairs: Ralph Redman, Manager)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

3. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF 36 ATTACHED RESIDENTIAL UNITS WITH LEASABLE COMMERCIAL SPACE AT 2426 4TH AVENUE, CITY OF SAN DIEGO:

The Commission is requested to make a consistency determination on a proposed project in the City of San Diego.

RECOMMENDATION: Adopt Resolution No. 2018-0001 ALUC, making a determination that the proposed project: Construction of 36 Attached Residential Units with Leasable Commercial Space at 2426 4th Ave, City of San Diego, is not consistent with the San Diego International Airport - Airport Land Use Compatibility Plan.

(Planning & Environmental Affairs: Ralph Redman, Manager)

4. MCCLELLAN-PALOMAR AIRPORT MASTER PLAN UPDATE:

The Commission is requested to receive a report and provide direction to staff on the McClellan-Palomar Airport Master Plan Update.

RECOMMENDATION: Adopt Resolution No. 2018-0002 ALUC, directing staff to update the McClellan-Palomar Airport Land Use Compatibility Plan to reflect the Airport Master Plan Update alternative selected by the San Diego County Board of Supervisors (Airport Operator).

(Planning & Environmental Affairs: Ralph Redman, Manager)

COMMISSION COMMENT:

ADJOURNMENT:

Policy for Public Participation in Board, Airport Land Use Commission (ALUC), and Committee Meetings (Public Comment)

- 1) Persons wishing to address the Board, ALUC, and Committees shall complete a "Request to Speak" form prior to the initiation of the portion of the agenda containing the item to be addressed (e.g., Public Comment and General Items). Failure to complete a form shall not preclude testimony, if permission to address the Board is granted by the Chair.
- 2) The Public Comment Section at the beginning of the agenda is limited to eighteen (18) minutes and is reserved for persons wishing to address the Board, ALUC, and Committees on any matter for which another opportunity to speak is not provided on the Agenda, and on matters that are within the jurisdiction of the Board. A second Public Comment period is reserved for general public comment later in the meeting for those who could not be heard during the first Public Comment period.
- 3) Persons wishing to speak on specific items listed on the agenda will be afforded an opportunity to speak during the presentation of individual items. Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board, ALUC and Committees. Public comment on specific items is limited to twenty (20) minutes – ten (10) minutes for those in favor and ten (10) minutes for those in opposition of an item. Each individual speaker will be allowed three (3) minutes, and applicants and groups will be allowed five (5) minutes.
- 4) If many persons have indicated a desire to address the Board, ALUC and Committees on the same issue, then the Chair may suggest that these persons consolidate their respective testimonies. Testimony by members of the public on any item shall be limited to **three (3) minutes per individual speaker and five (5) minutes for applicants, groups and referring jurisdictions.**
- 5) Pursuant to Authority Policy 1.33 (8), recognized groups must register with the Authority Clerk prior to the meeting.
- 6) After a public hearing or the public comment portion of the meeting has been closed, no person shall address the Board, ALUC, and Committees without first obtaining permission to do so.

Additional Meeting Information

NOTE: This information is available in alternative formats upon request. To request an Agenda in an alternative format, or to request a sign language or oral interpreter, or an Assistive Listening Device (ALD) for the meeting, please telephone the Authority Clerk's Office at (619) 400-2400 at least three (3) working days prior to the meeting to ensure availability.

For your convenience, the agenda is also available to you on our website at www.san.org.

For those planning to attend the Board meeting, parking is available in the public parking lot located directly in front of the Administration Building. Bring your ticket to the third floor receptionist for validation.

You may also reach the Administration Building by using public transit via the San Diego Metropolitan Transit System, Route 992. The MTS bus stop at Terminal 1 is a very short walking distance from the Administration Building. ADA paratransit operations will continue to serve the Administration Building as required by Federal regulation. For MTS route, fare and paratransit information, please call the San Diego MTS at (619) 233-3004 or 511. For other Airport related ground transportation questions, please call (619) 400- 2685.

UPCOMING MEETING SCHEDULE

<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
November 1	Thursday	9:00 AM	Regular	Board Room

DRAFT
SPECIAL AIRPORT LAND USE COMMISSION
MINUTES
THURSDAY, SEPTEMBER 13, 2018
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM

CALL TO ORDER: Chairman Boling called the special meeting of the Airport Land Use Commission to order at 10:54 a.m. on Thursday, September 13, 2018, in the Board Room at the San Diego International Airport, Administration Building, 3225 North Harbor Drive, San Diego, CA 92101.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENT: Commissioners: Binns (Ex-Officio), Boling (Chairman), Cox, Desmond, Kersey, Robinson, Schumacher, West

ABSENT: Commissioners: Dockery (Ex-Officio), Lloyd, Schiavoni, Wong-Hernandez (Ex-Officio)

ALSO PRESENT: Kimberly J. Becker, President/CEO; Amy Gonzalez, General Counsel; Linda Gehlken, Assistant Authority Clerk I; Martha Morales, Assistant Authority Clerk I

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA (Item 1-2):

ACTION: Moved by Commissioner Robinson and seconded by Commissioner Schumacher to approve the Consent Agenda. Motion carried by the following votes: YES – Boling, Cox, Desmond, Kersey, Robinson, Schumacher, West; NO – None; ABSENT – Lloyd, Schiavoni; (Weighted Vote Points: YES – 79; NO – 0; ABSENT – 21)

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the July 12, 2018 regular meeting.

2. REPORT OF DETERMINATIONS OF CONSISTENCY WITH AIRPORT LAND USE COMPATIBILITY PLANS:

RECOMMENDATION: Receive the report.

PUBLIC HEARINGS: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

COMMISSION COMMENT: None.

ADJOURNMENT: The meeting adjourned at 10:55 a.m.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS 4TH
DAY OF OCTOBER, 2018.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Meeting Date: **October 4, 2018**

Pursuant to Airport Authority Policy 8.30, and acting in its delegated capacity as the Airport Land Use Commission (ALUC) for San Diego County, Airport Authority staff has issued the following consistency determinations per their respective ALUCPs:

San Diego International Airport (SDIA) ALUCP

Construction of 10 Attached Residential Units with Leasable Commercial Space at 4862 & 4870 Voltaire Street, City of San Diego

Deemed Complete & Consistent on August 20, 2018

Description of Project: The proposed project involves the construction of 10 attached residential units with leasable ground-floor commercial space.

Noise Contours: The proposed project lies within the 65-70 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contours. The ALUCP identifies residential uses located within the 65-70 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level and that an aviation easement is recorded with the County Recorder. Therefore, as a condition of project approval, the residences must be sound attenuated to 45 dB CNEL interior noise level and an aviation easement must be recorded with the County Recorder.

Airspace Protection Surfaces: The proposed project is located outside the Threshold Siting Surface (TSS) and is in compliance with the ALUCP airspace protection surfaces because the project sponsor has certified that notice of construction is not required to the Federal Aviation Administration (FAA) because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The project area is located outside all safety zones.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. In instances when an aviation easement is required, the overflight notification requirement is satisfied.

Construction of Three Attached Residential Units at 2759, 2761, & 2763 Ocean Front Walk, City of San Diego

Deemed Complete & Consistent on August 23, 2018

Description of Project: The project involves the construction of three attached residential units.

Noise Contours: The project area lies within the 60-65 dB CNEL noise exposure contours. The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the residence must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The proposed project is located outside the TSS and is in compliance with the ALUCP airspace protection surfaces because the project sponsor has certified that notice of construction is not required to the FAA because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The project area is located outside all safety zones.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of project approval, a means of overflight notification shall be provided for each residential unit.

Construction of a Detached Residential Unit at 4581 Newport Avenue, City of San Diego

Deemed Complete & Consistent on August 27, 2018

Description of Project: The project involves the construction of a detached residential unit.

Noise Contours: The project area lies within the 60-65 dB CNEL noise exposure contours. The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the residence must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The proposed project is located outside the TSS and is in compliance with the ALUCP airspace protection surfaces because the project sponsor has certified that notice of construction is not required to the FAA because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The project area is located outside all safety zones.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of project approval, a means of overflight notification shall be provided for each residential unit.

Construction of an Office Building at 2150 First Avenue, City of San Diego

Deemed Complete & Consistent on August 29, 2018

Description of Project: The project involves the construction of an office building on a 5,000 square-foot lot.

Noise Contours: The proposed project lies within the 75+ dB CNEL noise exposure contour. The ALUCP identifies offices uses located within the 75+ dB CNEL noise contour as compatible with airport uses, provided that the building is sound attenuated to 50 dB CNEL interior noise level. Therefore, as a condition of project approval, the building must be sound attenuated to 50 dB CNEL interior noise level.

Airspace Protection Surfaces: The proposed project is located within the TSS. The proposed structure is approximately 220 feet above mean sea level, which is below the allowable TSS height for a project on this site; therefore, the project complies with the TSS. The proposed project would be compatible with the ALUCP airspace protection policies because the project sponsor has certified that notice of construction is not required to the FAA because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The proposed project is located within Safety Zone 2 East - Uptown. The ALUCP identifies office uses located within Safety Zone 2 East - Uptown as conditionally compatible with airport uses, provided that the project complies with an intensity of 272 people per acre. The project proposes 159 people per acre and therefore complies with the Safety Zone 2 East - Uptown limitation.

Overflight Notification: The proposed project is located within the overflight notification area, but does not involve any new residential use subject to overflight notification requirements.

Construction of 270 Attached Residential Units with Leasable Commercial Space at 1301 3rd Avenue, City of San Diego

Deemed Complete & Consistent on August 31, 2018

Description of Project: The project involves the construction of 270 attached residential units and ground floor leasable commercial space.

Noise Contours: The proposed project is located outside of the 60 dB CNEL noise contour. The ALUCP identifies all uses located outside of the 60 dB CNEL noise contour as compatible with airport uses.

Airspace Protection Surfaces: The proposed project is located outside the TSS. The proposed project would be compatible with the ALUCP airspace protection surfaces provided that the structure and construction crane are both marked and lighted in accordance with the determinations of no hazard to air navigation issued by the FAA and an avigation easement for the building height is recorded with the County Recorder. Therefore, as a condition of project approval, the building and construction crane must be marked and lit according to FAA procedures and an avigation easement for the building height must be recorded with the County Recorder.

Safety Zones: The project area is located outside all safety zones.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of project approval, a means of overflight notification shall be provided for each residential unit.

Construction of a Detached Residential Unit at 1995 Venice Street, City of San Diego

Deemed Complete & Consistent on September 7, 2018

Description of Project: The project involves the construction of a detached residential unit.

Noise Contours: The project area lies within the 60-65 dB CNEL noise exposure contours. The ALUCP identifies residential uses located within the

60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the residence must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The proposed project is located outside the TSS and is in compliance with the ALUCP airspace protection surfaces because the project sponsor has certified that notice of construction is not required to the FAA because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The project area is located outside all safety zones.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of project approval, a means of overflight notification shall be provided for each residential unit.

Construction of Two Detached Residential Units at 1750 Froude Street, City of San Diego

Deemed Complete & Consistent on September 7, 2018

Description of Project: The project involves the construction of two detached residential units.

Noise Contours: The project area lies within the 60-65 dB CNEL noise exposure contours. The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the residences must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The proposed project is located outside the TSS and is in compliance with the ALUCP airspace protection surfaces because the project sponsor has certified that notice of construction is not required to the FAA because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The project area is located outside all safety zones.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of project approval, a means of overflight notification shall be provided for each residential unit.

**CONSISTENCY DETERMINATION
SAN DIEGO INTERNATIONAL AIRPORT (SDIA)
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
October 4, 2018**

Item # 3 Resolution # 2018-0001 ALUC

Recommendation: Not Consistent

CONSTRUCTION OF 36 ATTACHED RESIDENTIAL UNITS WITH LEASABLE COMMERCIAL SPACE AT 2426 4TH AVENUE, CITY OF SAN DIEGO

Description of Project: Based on plans submitted to the ALUC, the project proposes the construction of 36 attached residential units in a single building with 1,085 square feet of leasable commercial space on a property of 0.23 acres. The application was deemed complete by ALUC staff on August 23, 2018.

Noise Contours: The proposed project is located within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise contour. (See the attached map.) The ALUCP identifies commercial uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, and identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The height of the proposed project structure will be 75 feet above ground level. The proposed project is located outside the SDIA Threshold Siting Surface (TSS). The proposed project would be compatible with the ALUCP airspace protection surfaces, provided that the structure is marked and lighted in accordance with a determination of no hazard to air navigation issued by the Federal Aviation Administration (FAA) and an aviation easement for airspace is recorded with the County Recorder.

Safety Zones: The proposed project is located within Safety Zone 3 Northeast (SZ 3NE) - Uptown. (See the attached map.) The ALUCP specifies that for mixed-use projects, half of the total people per acre compatibility threshold is applied to nonresidential intensity and the remaining half to residential density, as converted to an intensity figure based upon persons per household, as specified by the ALUCP within the corresponding zone.

The property is 0.23 acres, which, with a maximum intensity under the ALUCP of 278 people per acre, yields a total intensity of 64 people ($0.23 \times 278 = 63.94$). Assigning half of those 64 people (32 people) to the residential portion, at the

ALUCP rate of 1.48 people per household for SZ 3NE, yields 22 residential units ($32 \div 1.48 = 21.62$) as a maximum compatible threshold.

The other 32 people that comprise the nonresidential half of the mixed-use project is multiplied by the occupancy factor in the ALUCP to determine the maximum compatible threshold for the proposed nonresidential use. Assuming the more intense commercial use of retail sales, which has an occupancy factor of 170 square feet per person, yields a total maximum area of 5,440 square feet as compatible with the ALUCP ($32 \times 170 = 5,440$).

The project proposes 36 residential units and 1,085 square feet of commercial space. While the nonresidential component does not exceed the maximum compatible area with the ALUCP, the proposed 36 residential units exceeds the maximum SZ 3NE – Uptown compatible density of 22 residential units for the property area.

Overflight Notification Area: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. In instances when an avigation easement is required, the overflight notification requirement is satisfied.

Interests Disclosure: The property is owned by Fourth and Laurel, LP of San Diego, represented by Richard Simis. The architect is Awbrey Cook Rogers McGill of San Diego. The civil engineer is Civil Landworks of Oceanside. The landscape architect is McCullough Landscape Architects of San Diego.

Recommendation: Based on review of the materials submitted in connection with the proposed project and the policies in the SDIA ALUCP, staff recommends that the ALUC make the determination that the project is not consistent with the SDIA ALUCP.

2426 4th Avenue Noise Map

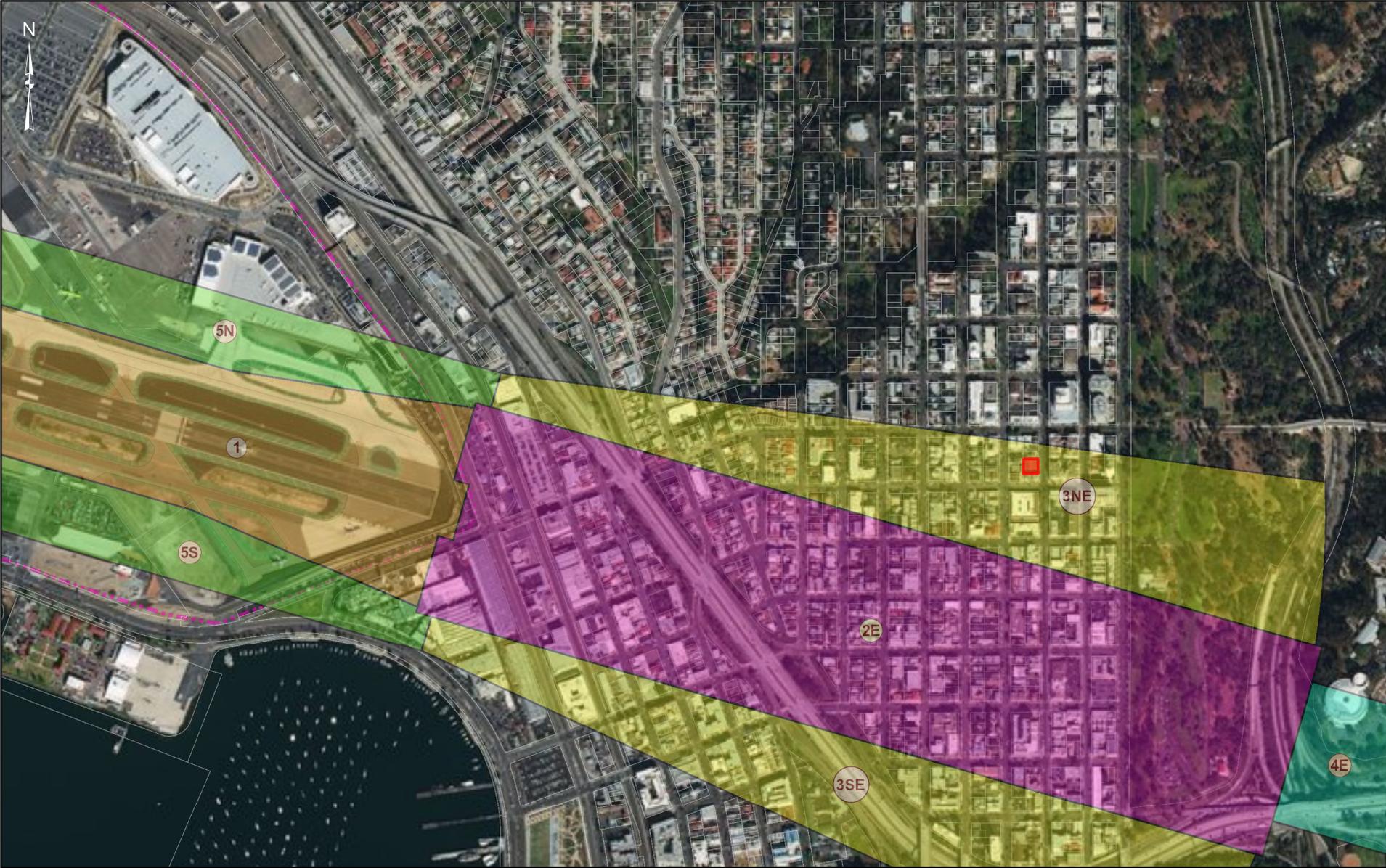


- 60-65 dB CNEL
- 65-70 dB CNEL
- 70-75 dB CNEL
- 75+ dB CNEL
- County

0 550 1,100 2,200 Feet
1 inch = 1,143 feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

2426 4th Avenue Safety Map



- Safety Zone 1
- Safety Zone 2
- Safety Zone 3
- Safety Zone 4
- Safety Zone 5
- County

0 550 1,100 2,200 Feet
1 inch = 1,143 feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

RESOLUTION NO. 2018-0001 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF 36 ATTACHED RESIDENTIAL UNITS WITH LEASABLE COMMERCIAL SPACE AT 2426 4TH AVENUE, CITY OF SAN DIEGO, IS NOT CONSISTENT WITH THE SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to §21670.3 of the California Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed project: Construction of 36 Attached Residential Units with Leasable Commercial Space at 2426 4th Avenue, City of San Diego, which is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP), adopted and amended in 2014; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the construction of 36 attached residential units with leasable commercial space; and

WHEREAS, the proposed project would be located within the 60-65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies residential and commercial uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level; and

WHEREAS, the proposed project is located outside the SDIA Threshold Siting Surface (TSS) height restrictions and is in compliance with the ALUCP airspace protection surfaces, provided that the structure is marked and lighted in accordance with a determination of no hazard to air navigation issued by the Federal Aviation Administration (FAA) and an aviation easement for airspace is recorded with the County Recorder; and

WHEREAS, the proposed project is located within Safety Zone 3 Northeast - Uptown, and the ALUCP identifies and the ALUCP identifies policies for the allocation of uses for mixed-use development to be compatible with airport uses based upon applicable densities of units per acre and intensities of people per acre; and

WHEREAS, the proposed project is located within the overflight notification area, and the ALUCP requires a means of overflight notification to be provided for new residential land uses, which an aviation easement will satisfy; and

WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the ALUC has provided an opportunity for the City of San Diego, and interested members of the public to present information regarding this matter.

NOW, THEREFORE, BE IT RESOLVED that the ALUC determines that the proposed project: Construction of 36 Attached Residential Units with Leasable Commercial Space at 2426 4th Avenue, City of San Diego, is not consistent with the SDIA ALUCP, which was adopted and amended in 2014, based upon the following facts and findings:

- (1) The proposed project involves the construction of 36 attached residential units with leasable commercial space; and
- (2) The proposed project is located within the 60-65 dB CNEL noise contour. The ALUCP identifies commercial uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, and identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level; and
- (3) The proposed project is located outside the TSS. The proposed project would be compatible with the ALUCP airspace protection surfaces, provided that the structure is marked and lighted in accordance with a determination of no hazard to air navigation issued by the FAA and an aviation easement for airspace is recorded with the County Recorder; and
- (4) The proposed project is located within Safety Zone 3 Northeast (SZ 3NE) - Uptown. The ALUCP has a maximum intensity under the ALUCP of 278 people per acre. The ALUCP specifies that for mixed-use projects, half of the total people per acre compatibility threshold is applied to the nonresidential intensity and the remaining half to the residential density, as converted to an intensity figure based upon persons per household, as specified by the ALUCP within the corresponding zone. The property of 0.23 acres yields a total intensity of 64 people. Assigning half of those 64 people to the residential portion, at the ALUCP rate of 1.48 people per household for SZ

3NE, yields 22 residential units as a maximum compatible threshold. The other 32 people for the nonresidential half of the mixed-use project is multiplied by the ALUCP's most intense commercial occupancy factor of 170 people to yield a total maximum area of 5,440 square feet as compatible with the ALUCP. While the 1,085 square feet of commercial space is compatible, the project proposes 36 residential units, which exceeds the maximum compatible density of 22 units, and therefore does not comply with the SZ 3NE and mixed-use project policies of the ALUCP; and

(5) The proposed project is located within the overflight notification area. The ALUCP requires a means of overflight notification to be provided for new residential land uses, for which an avigation easement will satisfy; and

(6) Therefore, the proposed project is not consistent with the SDIA ALUCP; and

BE IT FURTHER RESOLVED that the ALUC finds this determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065, and is not a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 4th day of October, 2018, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

AIRPORT
LAND USE
COMMISSION

ALUCP Consistency
Determination

October 4, 2018

Presented by:

Ralph Redman, Airport Planning Manager

Proposed Project

- 2426 4th Avenue (Bankers Hill)
- Six (6) story building
- 0.23 acre site
- Retail space on first floor
- 36 residential units
 - 25 allowed under City zoning
 - Affordable housing density bonus



Consistency Review

Noise

- Located within 60 CNEL noise contour
- Sound attenuation to 45 CNEL interior noise level required per ALUCP

Airspace

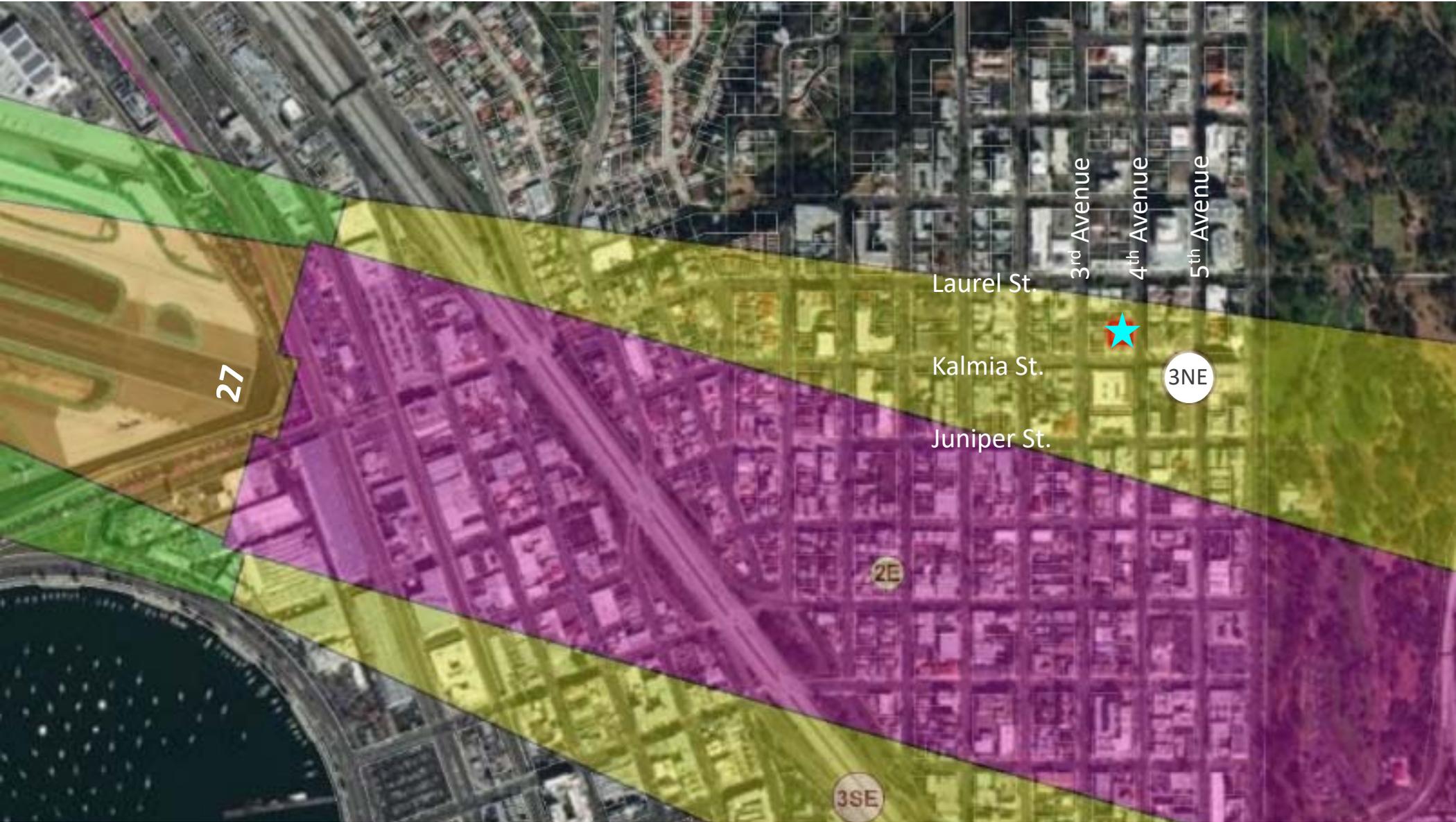
- Structure must be marked and lighted per FAA Determination of No Hazard
- Avigation Easement required per ALUCP

Overflight

- With Avigation Easement, no additional overflight notification required per ALUCP

Safety

- Located in Uptown Safety Zone (3NE)
- **Mixed-use project limited to 22 dwelling units per project area**



27

Laurel St.

Kalmia St.

Juniper St.

3rd Avenue

4th Avenue

5th Avenue



3NE

3SE

2E

ALUCP Safety Zone Matrix

Community Planning Area - Neighborhood	Density/Intensity for Conditional Uses																			
	Safety Zones																			
	2E		2W		3NE		3SE		3NW		3SW		4E		4W		5N		5S	
	R	NR	R	NR	R	NR	R	NR	R	NR	R	NR	R	NR	R	NR	R	NR	R	NR
Balboa Park	‡	96											‡	240						
Centre City - Cortez	‡	96					210	842					‡	240						
Centre City - East Village													‡	240						
Centre City - Little Italy	40	255					154	732											‡	180
Midway - Pacific Highway	46	191			‡	180			44	198									‡	180
Ocean Beach															31	240				
Peninsula - NTC			‡	127					‡	180	‡	235								
Peninsula - Other Neighborhoods			20	96					10	180	9	180			36	240				
Uptown	58	272			62	278	164	674												
Persons per household for mixed-use projects ^a	1.51		2.35		1.48		1.57		2.27		2.23		1.52		2.14		n/a		n/a	
R	Maximum allowable residential density, in dwelling units per acre.																			
NR	Maximum allowable nonresidential intensity, in people per acre.																			
‡	No dwellings are in the part of the CPA or neighborhood within the indicated Safety Zone. No new dwellings are permitted in this area unless the parcel was designated for residential use in the community plan as of the effective date of this ALUCP.																			
	No part of the Community Planning Area or neighborhood is in the Safety Zone.																			

1. 278 people per acre (ppa) x 0.23 acre site = 64 total people

2. 64 people x 0.5 = 32 people as mixed-use project

3. 32 people / 1.48 persons per household = 22 dwelling units

Recommendation: Not Consistent

- Exceeds the maximum density allowance (22 dwelling units) for the safety zone
- Project is not consistent with the SDIA ALUCP

Project Review Process



Questions



SAN DIEGO COUNTY
 REGIONAL AIRPORT AUTHORITY
 AIRPORT LAND USE COMMISSION

Item No.
4

STAFF REPORT

Meeting Date: **OCTOBER 4, 2018**

Subject:

McClellan-Palomar Airport Master Plan Update

Recommendation:

Adopt Resolution No. 2018-0002 ALUC, directing staff to update the McClellan-Palomar Airport Land Use Compatibility Plan to reflect the Airport Master Plan Update alternative selected by the San Diego County Board of Supervisors (Airport Operator).

Background/Justification:

The County of San Diego (County), Department of Public Works, Airport Division owns and operates McClellan-Palomar Airport (Airport), and is in the final stages of approving a Master Plan Update (MPU) for the Airport. The purpose of the MPU is to provide decision-makers with a roadmap of the Airport that provides flexible options to meet the long-term needs of the community for the next 20 years. The last Master Plan was developed in 1997, and given the modernization of Federal Aviation Administration (FAA) design and safety standards for airports, it is nearing the end of its useful life.

In accordance with current FAA airport design standards, the County proposes a set of near-term, intermediate-term, and long-term development improvements to on-airport facilities in the MPU. As part of the MPU process, the County developed several Airport layouts and then identified a preferred alternative, known as the B-II Enhanced Facility Alternative (Figure 1 at the end of this report). They also identified several other alternatives that were analyzed in the MPU and associated Programmatic Environmental Impact Report (PEIR). The following table summarizes the major components of each alternative:

Master Plan Update Alternatives	Runway Shift	Runway Extension
B-II Enhanced Facility (<i>Preferred Alternative</i>)	NA	Max 900' on east end
D-III Modified Standards Compliance	123' to the north	Max 800' on east end
D-III Full Compliance	104' to the north	Max 800' on east end
D-III Modified Standards	75' to the north	Max 800' on east end
D-III On Property	70' to the north	Max 800' on east end
C-III Modified Standards Compliance	123' to the north	Max 800' on east end
Public Comment Alternative	123' to the north	Max 300' on east end

As reflected in the table above, all of the proposed alternatives for the MPU include either a runway shift to the north (to varying degrees), a runway extension on the east end of the runway, or both. As part of the MPU process, the Palomar Airport Advisory Committee (PAAC), at its meeting on September 20, 2018, voted/made a recommendation in favor of the preferred alternative (B-II Enhance Facility Alternative). The County Board of Supervisors (BOS) will ultimately certify the PEIR for the MPU and review and consider for approval the final MPU document and select and approve an alternative that will ultimately be depicted on the FAA approved Airport's Airport Layout Plan (ALP).

Per California Public Utilities Code §21676 (c), each public agency owning any airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, refer any proposed change to the ALUC. Therefore, prior to BOS action on the MPU, the Airport Land Use Commission (ALUC) must review the MPU.

Adopted Airport Land Use Compatibility Plan

The ALUC adopted an Airport Land Use Compatibility Plan (ALUCP) for the McClellan-Palomar Airport in January 2010 based on the 1997 Master Plan for the Airport and made minor amendments to the ALUCP in December 2011. As outlined in Section 2.12.3 of the ALUCP, and consistent with state law, "[w]hen an airport layout plan (ALP) or airport master plan (AMP) is amended, the ALUC must review their ALUCP for any changes that may be needed as a result of an airport updating its plan(s)." Caltrans Handbook, p. 1-7. Section 2.12.3 of the ALUCP provides as follows:

ALUC Action Choices:

- (a) When an inconsistency exists between an airport master plan and this Compatibility Plan, the ALUC has the option of first modifying this Compatibility Plan to reflect the assumptions and proposals in the airport master plan.
- (b) Plans for expansion of a runway system at an airport normally will be based on a long-range airport master plan previously reviewed by the ALUC. The consistency review therefore involves only a comparison of the proposed expansion project with the airport master plan.

As discussed in more detail below, and consistent with direction provided in the Caltrans Handbook and the action choice provided in the ALUCP, because each of the MPU alternatives under consideration shifts or extends the Airport's single runway, approval of any of the MPU alternatives will result in inconsistencies between the MPU and the current ALUCP for the Airport; therefore, the ALUC should modify the ALUCP to reflect the MPU alternative, once approved by the BOS.

MPU Compatibility Review

Public Utilities Code section 21675(a) requires an ALUC to formulate and adopt an ALUCP that is based on a long range master plan or an airport layout plan. An ALUCP is "intended to minimize the public's exposure to excessive noise and safety hazards, while providing the orderly expansion of airports." See, Caltrans California Airport Land Use Planning Handbook (2011). This is accomplished through an ALUCPs' focus on the following four compatibility factors: noise, overflight, safety, and airspace protection.

Within an ALUCP, noise contours are defined by the exposure to noise attributable to aircraft operations. These contours are influenced by the number of aircraft operations, aircraft fleet mix, and the flight paths for arriving and departing aircraft. As summarized in the table above, all of the MPU's alternatives currently under consideration, including the MPU's preferred alternative (B-II Enhanced Facility Alternative), involve shifting or extending the runway to the east. These proposed modifications would result in a shift of the noise contours associated with the Airport. As such, approval of the MPU alternatives, including the MPU's preferred alternative, would require the ALUCP for the McClellan-Palomar Airport to be updated based on the new noise contours for the Airport.

In addition, the MPU included the development and FAA approval of updated aviation demand forecasts. The aviation demand forecasts are used in the development of noise contours as they provide the existing and future number of aircraft operations that are input into the noise modeling software. Changes to the forecasts will likely have an impact on the size and shape of the noise contours that are represented in the current ALUCP. These changes will also prompt the need to update the current ALUCP.

Safety zones within an ALUCP are defined by where the risk of aircraft accidents is a concern and are influenced by runway configuration, approach and departing procedures, and historical accident locations. As summarized in the table above, all of the MPU's alternatives currently under consideration, including the MPU's preferred alternative, involves changing the configuration of the Airport's single runway. This change would impact the Runway Protection Zones (RPZs), as noted in the MPU PEIR, and alter flight paths for aircraft using the Airport. As a result, the McClellan-Palomar ALUCP would need to be updated to account for the new RPZs and other safety zone areas which accurately reflect the approved MPU for the Airport. Likewise, the airspace surrounding the Airport, which is based on the runway location and requirements and requires protection from obstructions and hazards, would need to be modified in the ALUCP. The overflight protection area may also require modification in the ALUCP based on the modifications to the runway configuration.

In summary, the noise, safety, airspace and overflight components of the adopted McClellan-Palomar ALUCP will be impacted regardless of which alternative (or variation of an alternative) the BOS ultimately approves as part of the Airport's MPU. Additionally, the manner and extent to which the noise, safety and airspace components are affected are different depending on which alternative or variation of an alternative is adopted by the BOS. As stated above, State law requires the ALUCP to be based on an adopted long-range master plan and for that reason, the ALUC will update the ALUCP after approval of the MPU by the BOS. Therefore, rather than make a finding of inconsistency, which would require the BOS to overrule the ALUC, and because the ALUC will be required to modify the current ALUCP for the Airport to reflect the McClellan Palomar Airport Master Plan Update once an MPU alternative is approved and adopted by the BOS, staff recommends that the ALUC direct staff to make the required revisions to the ALUCP once the BOS approves an MPU alternative and bring the ALUCP amendments back to the ALUC for final approval.

Caltrans Input

Caltrans' Aeronautics Division supports the Authority's approach to update the McClellan -Palomar ALUCP (rather than make a finding of inconsistency that would require an overrule by the BOS). The letter from Caltrans documenting supporting (Attachment A) is provided with this Staff Report.

Staff Recommendation

ALUC staff recommends updating the McClellan-Palomar ALUCP to reflect the development alternative selected by the BOS, following FAA approval of the ALP.

Fiscal Impact:

The ALUCP program is funded through the Airport Planning & Environmental Affairs Department's FY19 operating budget. As such, adequate funds for the further development and environmental review of any updates to the adopted McClellan-Palomar ALUCP are already supported within personnel costs and professional services budget categories.

Authority Strategies:

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy
- Customer Strategy
- Employee Strategy
- Financial Strategy
- Operations Strategy

Environmental Review:

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Application of Inclusionary Policies:

Not applicable.

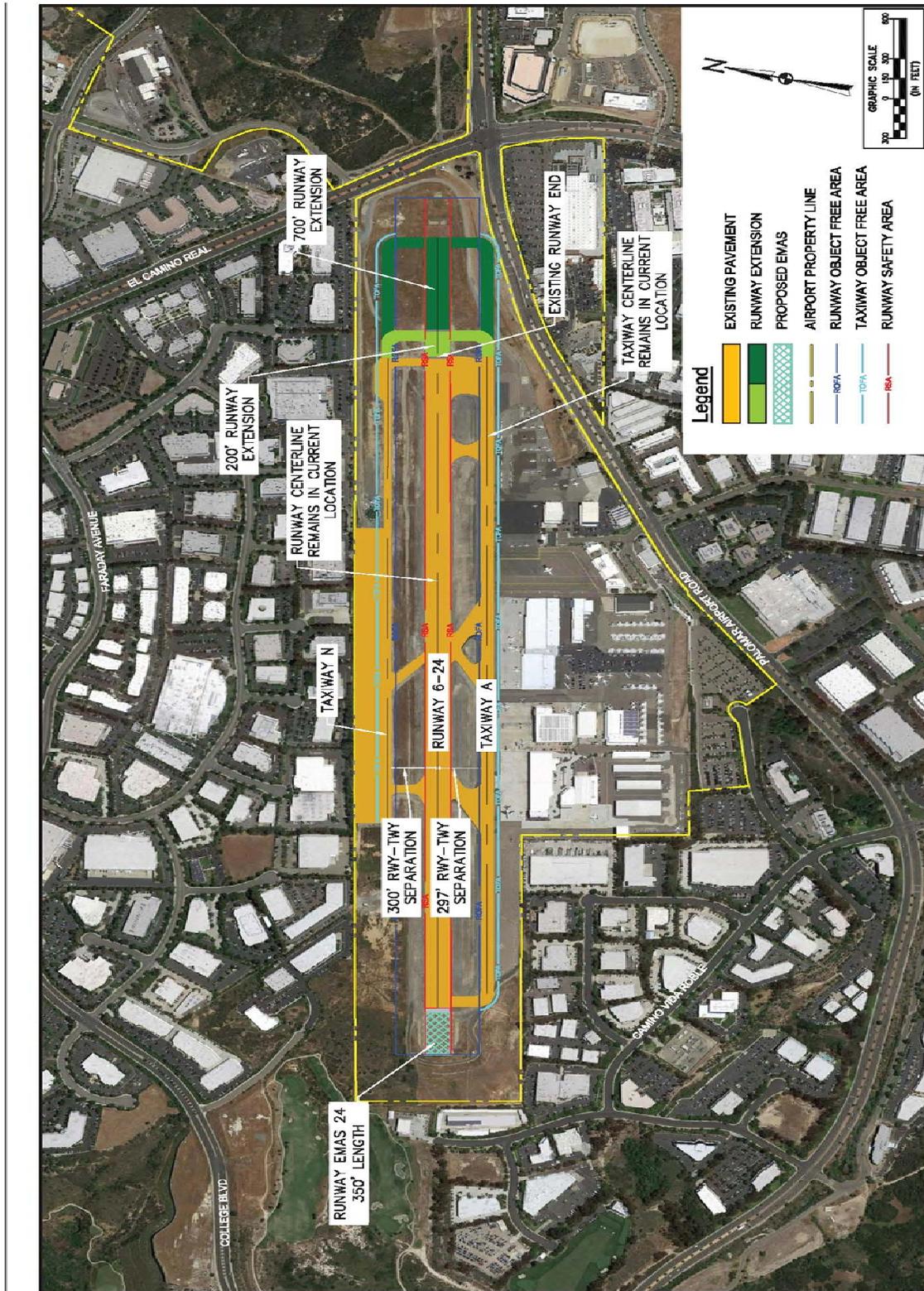
Prepared by:

BRENDAN REED
DIRECTOR, PLANNING & ENVIRONMENTAL AFFAIRS

LIST OF FIGURES:

- Figure 1 - B-II Enhanced Facility (*Preferred Alternative*)
- Figure 2 - D-III Modified Standards Compliance
- Figure 3 - D-III Full Compliance
- Figure 4 - D-III Modified Standards
- Figure 5 - D-III On Property
- Figure 6 - C-III Modified Standards Compliance
- Figure 7 - Public Comment Alternative

Figure 1 – B-II Enhanced Facility Alternative (*Preferred Alternative*)



Source: Kimley-Horn 2017

Figure 2 – D-III Modified Standards Compliance

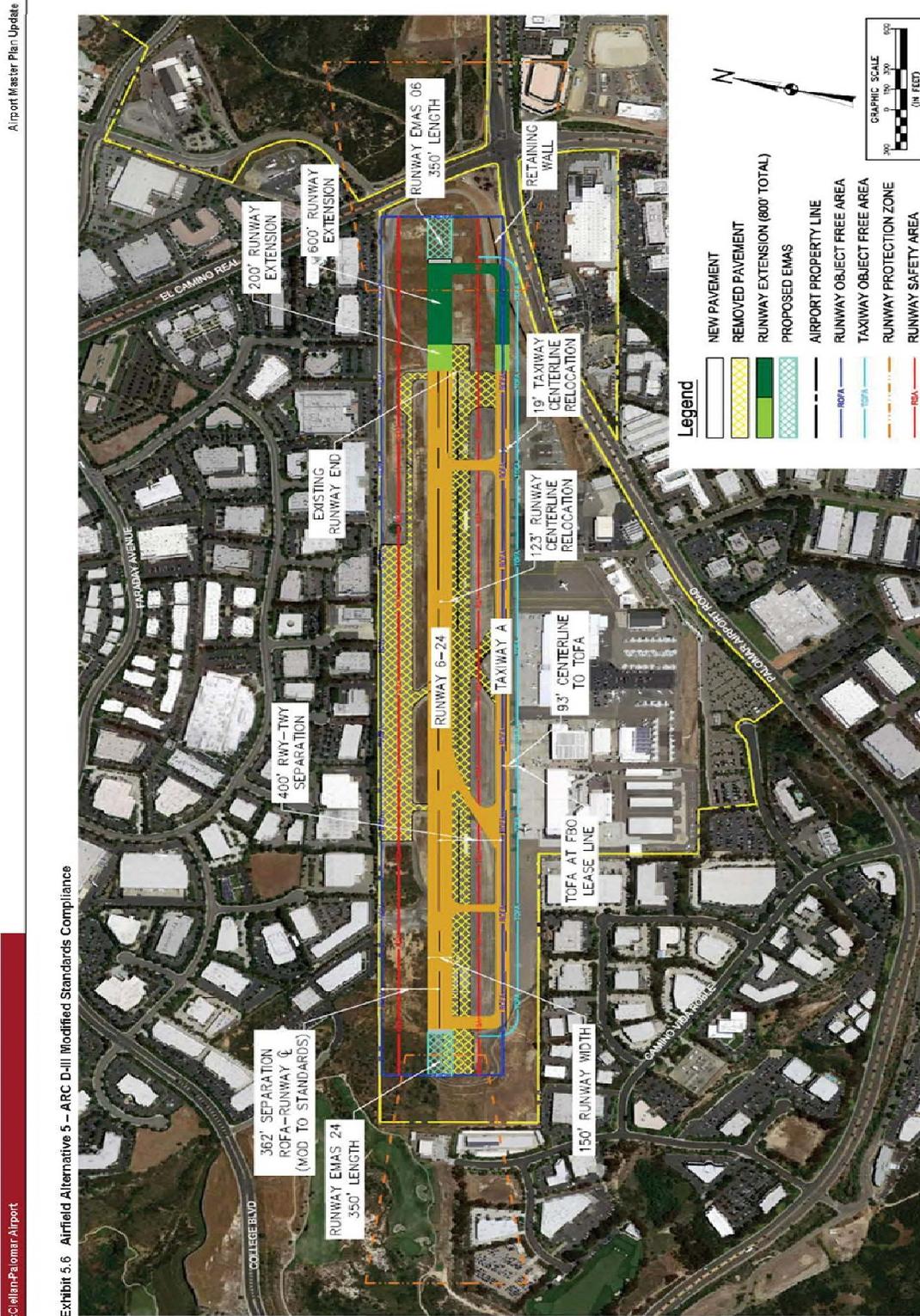
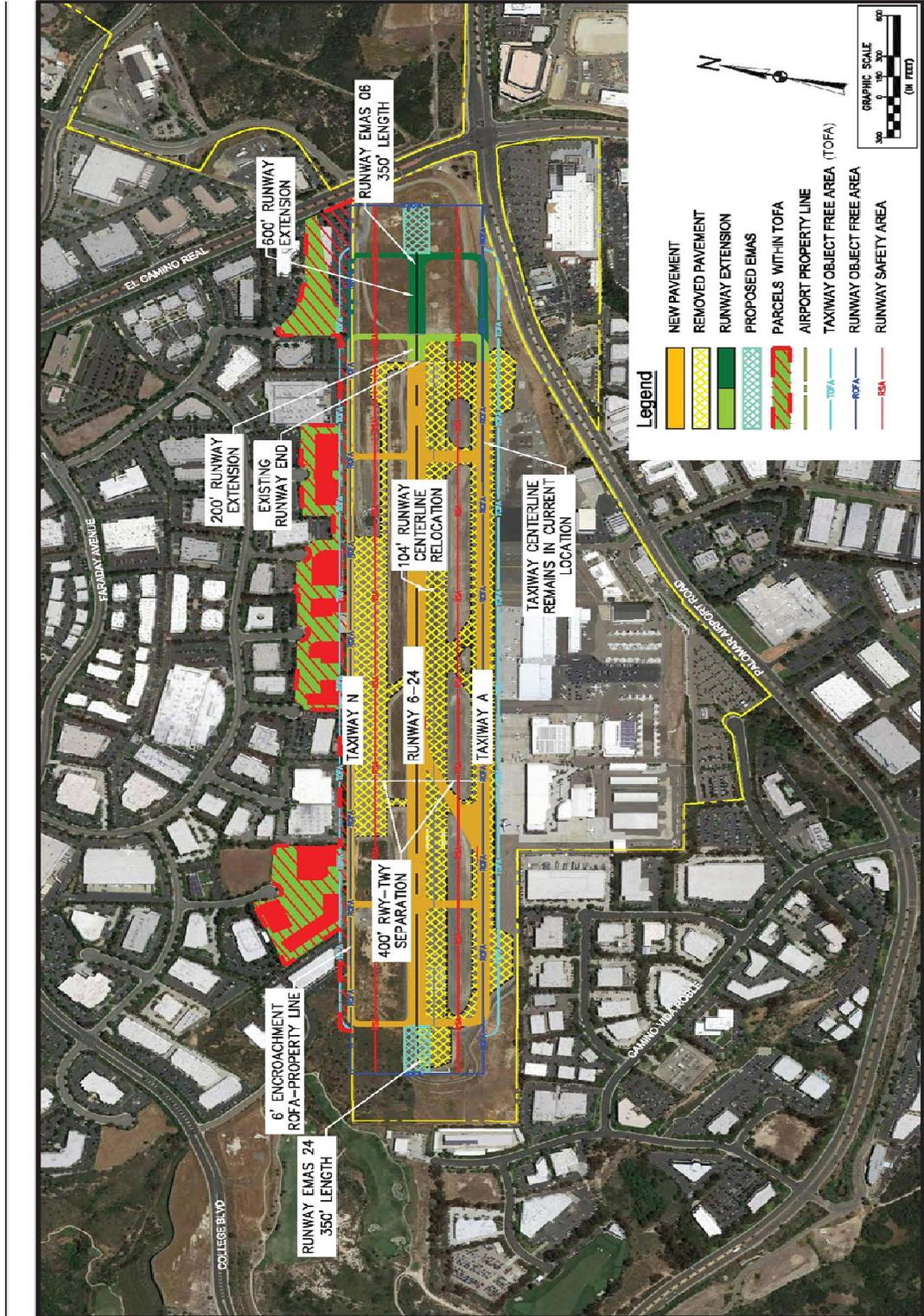


Exhibit 5.6 Airfield Alternative 5 – ARC D-III Modified Standards Compliance

Figure 3 – D-III Full Compliance Alternative



Source: Kimley-Horn 2017

McClellan-Palomar Airport Master Plan
Program EIR

D-III Full Compliance Alternative
Revised Figure 4-2a

Figure 4 – D-III Modified Standards Alternative

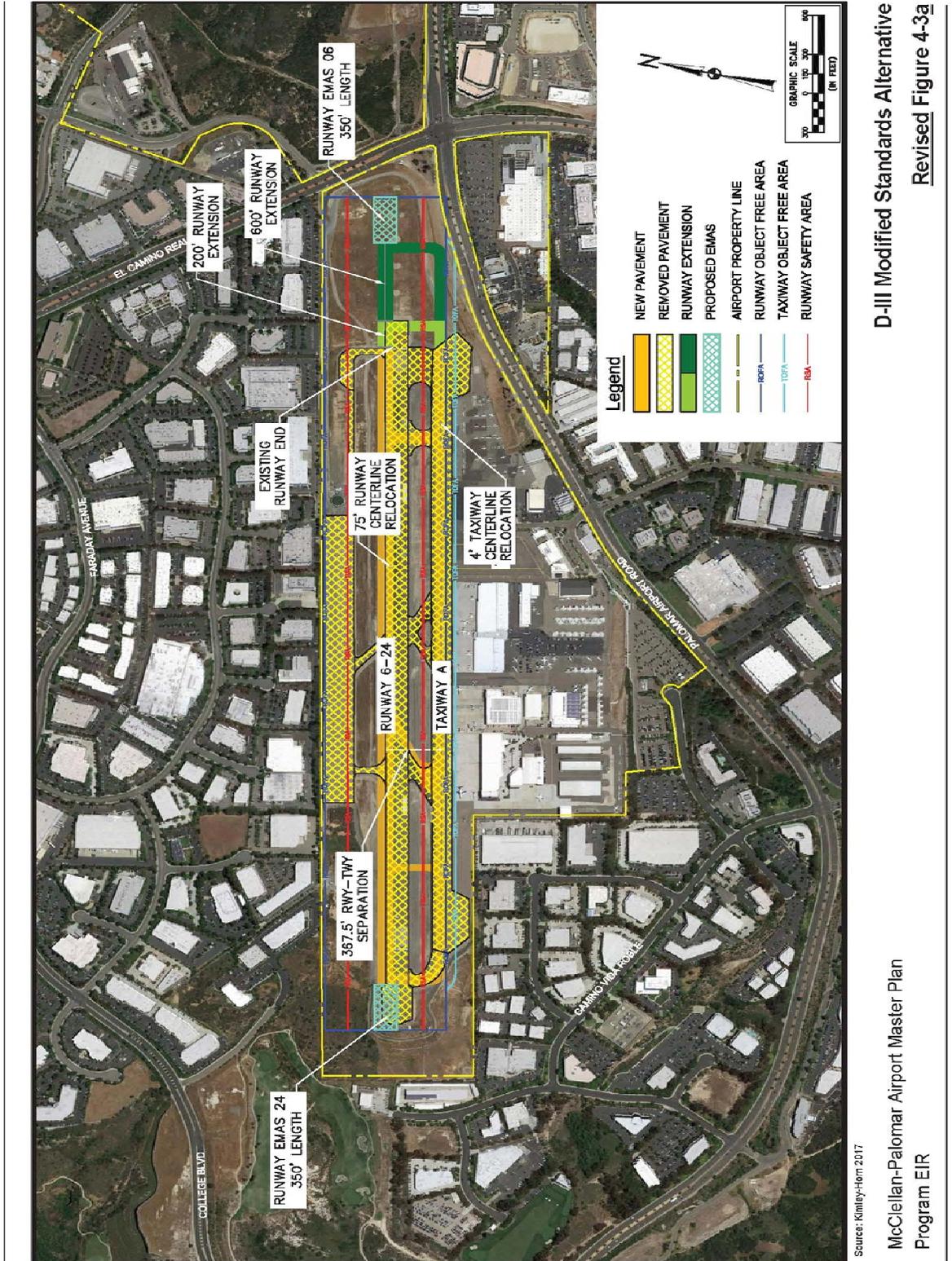
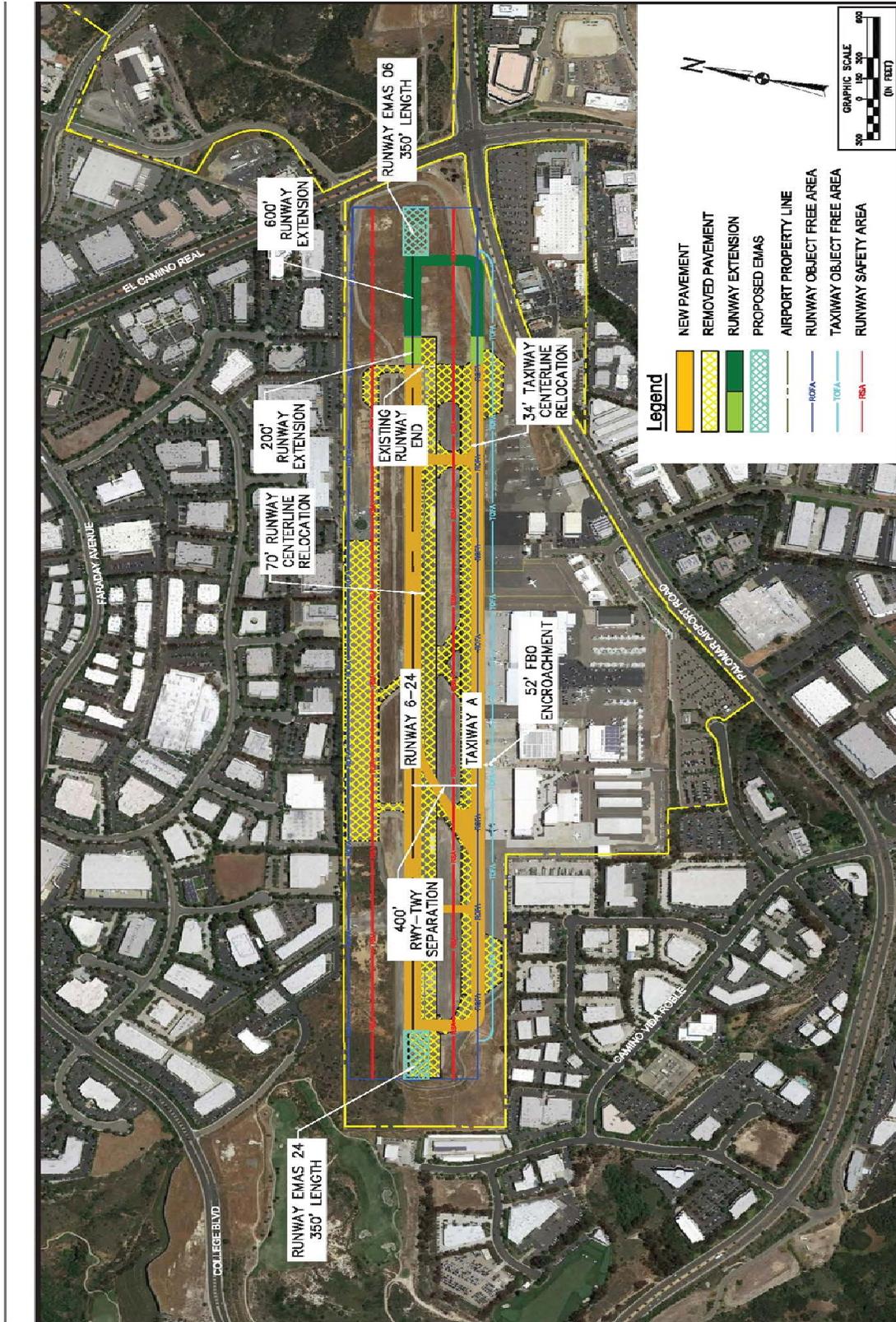
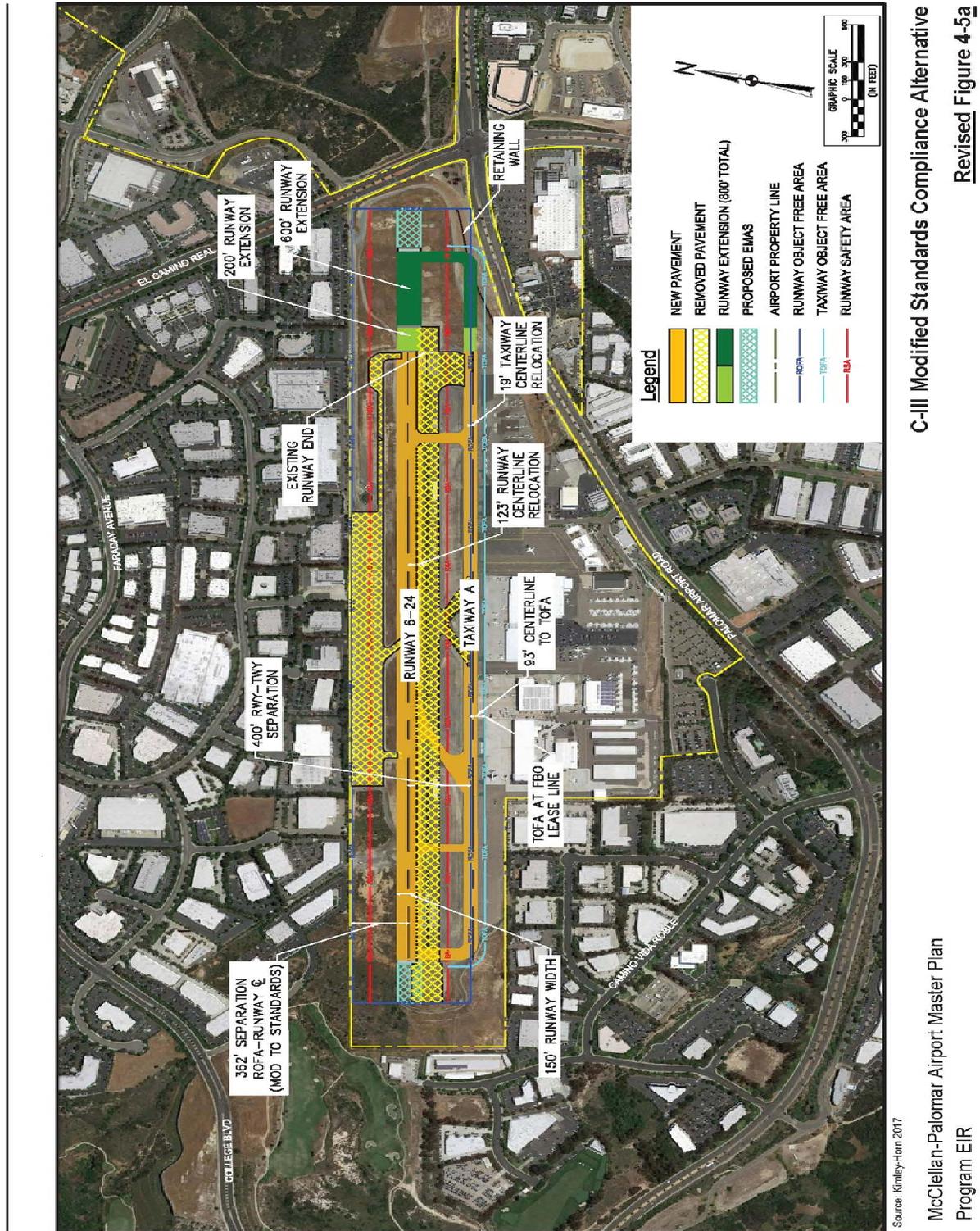


Figure 5 – D-III On Property Alternative



Source: Kimley-Horn 2017

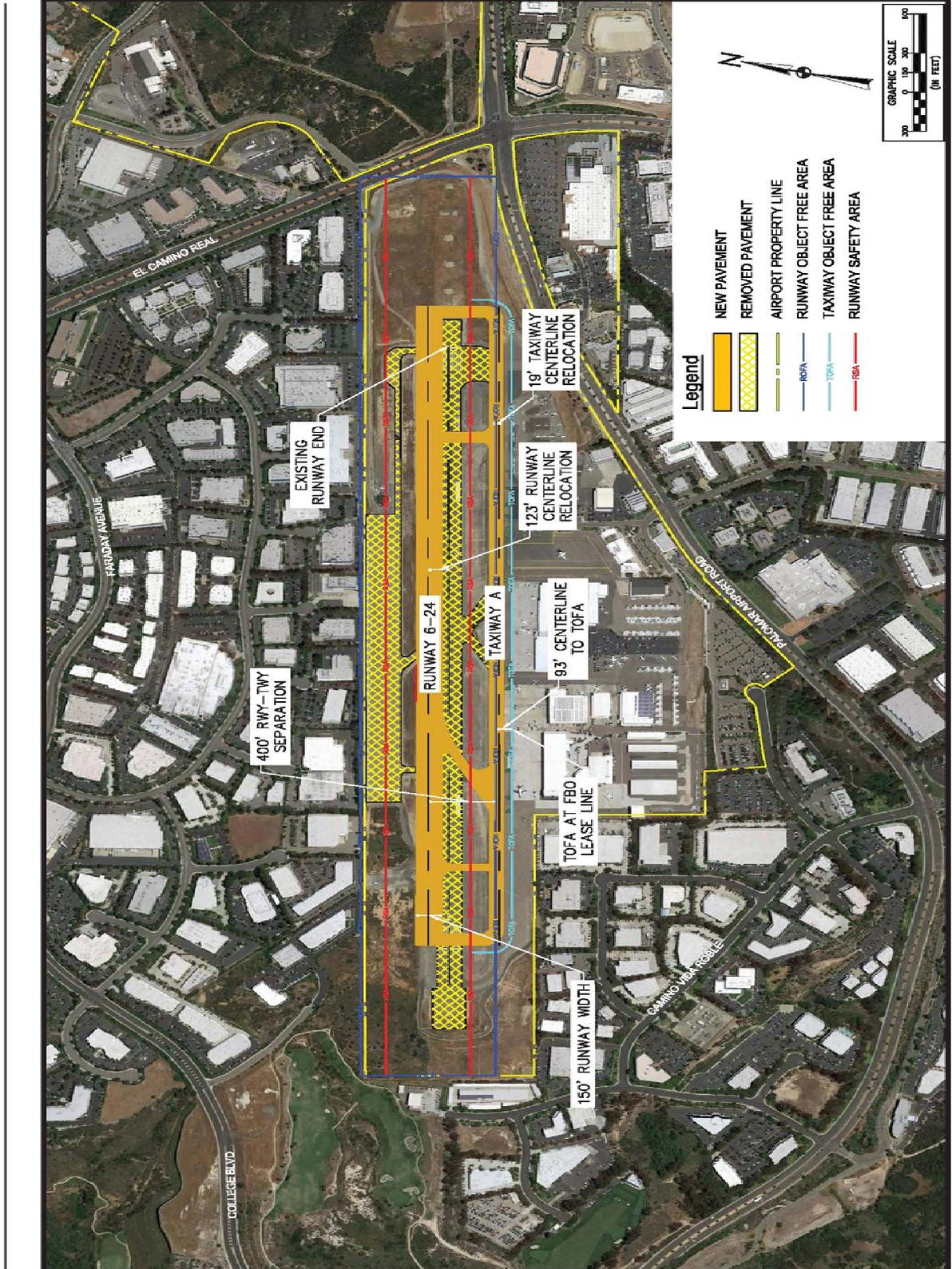
Figure 6 – C-III Modified Standards Compliance Alternative



C-III Modified Standards Compliance Alternative

Revised Figure 4-5a

Figure 7 – Public Comment Alternative



Source: Kinley-Horn 2017

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40

1120 N STREET

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*Making Conservation
a California Way of Life.*

September 21, 2018

Ms. C. April Boling, Chair
Airport Land Use Commission
San Diego County Regional Airport Authority
P.O. Box 82776
San Diego, CA 92138-2776

Dear Ms. Boling and Members of the Commission:

One of the goals of the California Department of Transportation (Caltrans), Division of Aeronautics (Division), is to assist cities, counties, and Airport Land Use Commissions (ALUC) in the development and implementation of policies that protect the safety and general welfare of their communities in which aeronautical activities take place. Therefore, we appreciate your staff contacting us for input regarding the adoption of a new Airport Master Plan (AMP) for McClellan Palomar Airport located in San Diego County (County).

The San Diego County Regional Airport Authority serves as the Airport Land Use Commission (ALUC) for the County and adopted the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) in 2010, further amending the plan in 2011.

The County is the operator of McClellan Palomar Airport, and is in the process of revising and amending its AMP for McClellan Palomar Airport. California Public Utilities Code (PUC) section 21675(a) requires that each ALUCP shall include and be based either on a long-range master plan or an Airport Layout Plan (ALP), as determined by the Division that reflects the anticipated growth of the airport during at least the next 20 years. The current AMP was adopted by the County in 1997.

The PUC section 21676 states in pertinent part that "(c) Each public agency owning an airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, refer any proposed change to the airport land use commission." Based on the foregoing, the County is required to refer a modification or change to an AMP to the ALUC for consistency prior to adoption by the County Board of Supervisors. The situation here is different because the County is not simply making changes or modifying portions of the body of the AMP, but instead, it is intending to make major revisions to update the AMP in its entirety. Such a process is time consuming and complex. It should not be piecemealed with the constant act of referring the AMP to the ALUC or continuously triggering a consistency hearing. Such a requirement would back log the AMP amendment process as it would be time consuming and place an unnecessary burden on local resources.

Thus, the Division concurs that the ALUC should update the ALUCP, based on the revised and amended AMP. The Division shall review the new AMP and in writing, formally accept the new

Ms. C. April Boling
September 21, 2018
Page 2

AMP. This will help ensure that the ALUCP will be consistent with State law requiring that it be based on a long-range AMP.

If you have questions, please contact me at (916) 654-5203 or by email at tony.sordello@dot.ca.gov.

Sincerely,



TONY SORDELLO
Aviation Planner

c: Mr. Ralph Redman, San Diego County Regional Airport Authority, P.O. Box 82776,
San Diego, CA 92138-2776

RESOLUTION NO. 2018-0002 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, DIRECTING STAFF TO UPDATE THE McCLELLAN PALOMAR AIRPORT LAND USE COMPATIBILITY PLAN TO REFLECT THE ALTERNATIVE SELECTED BY THE SAN DIEGO COUNTY BOARD OF SUPERVISORS

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to §21670.3 of the California Public Utilities Code, was requested by the County of San Diego, Department of Public Works, Airports Division to review the Master Plan Update for the McClellan Palomar Master Plan; and

WHEREAS, the County of San Diego (County), Department of Public Works, Airport Division owns and operates McClellan-Palomar Airport (Airport), and is in the final stages of approving a Master Plan Update (MPU) for the Airport; and

WHEREAS, the purpose of the MPU is to provide decision-makers with a roadmap of the Airport that provides flexible options to meet the long-term needs of the community for the next 20 years; and

WHEREAS, the last Master Plan was developed in 1997, and given the modernization of Federal Aviation Administration (FAA) design and safety standards for airports, it is nearing the end of its useful life; and

WHEREAS, in accordance with current FAA airport design standards, the County proposes a set of near-term, intermediate-term, and long-term development improvements to on-airport facilities in the MPU. As part of the MPU process, the County developed several Airport layouts and then identified a preferred alternative, known as the B-II Enhanced Facility Alternative (Figure 1 at the end of this report). They also identified several other alternatives that were analyzed in the MPU and associated Programmatic Environmental Impact Report (PEIR); and

WHEREAS, all of the proposed alternatives for the MPU include either a runway shift to the north (to varying degrees), a runway extension on the east end of the runway or both; and

WHEREAS, as part of the MPU process, the Palomar Airport Advisory Committee (PAAC), at its meeting on September 20, 2018, voted/made a recommendation in favor of the preferred alternative (B-II Enhance Facility Alternative). The County Board of Supervisors (BOS) will ultimately certify the PEIR for the MPU and review and consider for approval the final MPU document and select and approve an alternative that will ultimately be depicted on the FAA approved Airport Layout Plan (ALP); and

WHEREAS, per California Public Utilities Code §21676 (c), each public agency owning any airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, refer any proposed change to the ALUC. Therefore, prior to BOS action on the MPU, the Airport Land Use Commission (ALUC) must review the MPU; and

WHEREAS, the ALUC adopted an Airport Land Use Compatibility Plan (ALUCP) for the McClellan-Palomar Airport in January 2010 based on the 1997 Master Plan for the Airport and made minor amendments to the ALUCP in December 2011; and

WHEREAS, as outlined in Section 2.12.3 of the ALUCP, and consistent with state law, “[w]hen an airport layout plan (ALP) or airport master plan (AMP) is amended, the ALUC must review their ALUCP for any changes that may be needed as a result of an airport updating its plan(s).” Caltrans Handbook, p. 1-7; and

WHEREAS, Section 2.12.3 of the ALUCP provides as follows:

ALUC Action Choices:

(a) When an inconsistency exists between an airport master plan and this Compatibility Plan, the ALUC has the option of first modifying this Compatibility Plan to reflect the assumptions and proposals in the airport master plan; and

(b) Plans for expansion of a runway system at an airport normally will be based on a long-range airport master plan previously reviewed by the ALUC. The consistency review therefore involves only a comparison of the proposed expansion project with the airport master plan; and

WHEREAS, because each of the MPU alternatives under consideration shifts or extends the Airport’s single runway, approval of any of the MPU alternatives will result in inconsistencies between the MPU and the current

ALUCP for the Airport; therefore, the ALUC should modify the ALUCP to reflect the MPU alternative, once approved by the BOS; and

WHEREAS, Caltrans Division of Aeronautics finds that updating the McClellan Palomar ALUCP to reflect the approved MPU is consistent with state law; and

WHEREAS, rather than make a finding of inconsistency, which would require the BOS to overrule the ALUC, and because the ALUC will be required to modify the current ALUCP for the Airport to reflect the McClellan Palomar Airport Master Plan Update once an MPU alternative is approved and adopted by the BOS, staff recommends that the ALUC direct staff to make the required revisions to the ALUCP once the BOS approves an MPU alternative and bring the ALUCP amendments back to the ALUC for final approval.

NOW, THEREFORE, BE IT RESOLVED the noise, safety, airspace and overflight components of the adopted McClellan-Palomar ALUCP will be impacted regardless of which alternative (or variation of an alternative) the BOS ultimately approves as part of the Airport's MPU; and

BE IT FURTHER RESOLVED that the manner and extent to which the noise, safety and airspace components are affected are different depending on which alternative or variation of an alternative is adopted by the BOS; and

BE IT FURTHER RESOLVED that State law requires the ALUCP to be based on an adopted long-range master plan and for that reason, the ALUC will update the ALUCP after approval of the MPU by the BOS; and

BE IT FURTHER RESOLVED that rather than make a finding of inconsistency, which would require the BOS to overrule the ALUC, and because the ALUC will be required to modify the current ALUCP for the Airport to reflect the McClellan Palomar Airport Master Plan Update once an MPU alternative is approved and adopted by the BOS, the Board directs staff to make the required revisions to the ALUCP once the BOS approves an MPU alternative and bring the ALUCP amendments back to the ALUC for final approval; and

BE IT FURTHER RESOLVED that the ALUC finds this determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065, and is not a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego
County at a regular meeting this 4th day of October, 2018, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

AIRPORT
LAND USE
COMMISSION

McClellan-Palomar
Airport Master Plan
Update

October 4, 2018

Presented by:

Ralph Redman, Airport Planning Manager

ALUCP History

1994 Airport Land Use Compatibility Plan (SANDAG)



1997 Airport Master Plan (AMP)



2010 ALUCP Update (Caltrans approved use of 1997 AMP)



2011 ALUCP Amendment



2014 County began Airport Master Plan Update
(Airport Authority participated on User Group Advisory Committee)

ALUCP Review

Public Utilities Code Section 21675(a) requires that each ALUCP shall include and be based either on a long range master plan or an airport layout plan, as determined by the Division of Aeronautics of the California Department of Transportation, that reflects the anticipated growth of the airport during at least the next 20 years.

Recommended Alternative

AMP alternatives include a proposed runway extension and/or shift



ALUCP Review

Noise

- Runway shift or extension would affect size and shape ALUCP noise contours
- Updated forecasts would affect size and shape of ALUCP noise contours

Airspace

- Runway shift or extension would affect current location of RPZs and Part 77 airspace surfaces

Safety

- Runway shift or extension would affect current location of safety zones

Recommended Action

ALUCP Section 2.12.3

- (a) When an inconsistency exists between an airport master plan and this Compatibility Plan, the ALUC has the option of first modifying this Compatibility Plan to reflect the assumptions and proposals in the airport master plan.

Caltrans provided written correspondence on 8/15/18 confirming recommended action is acceptable approach.

Questions

An aerial photograph of an airport terminal and runway. The terminal is a long, low building with a white roof, situated on the left side of the runway. The runway is a long, straight strip of tarmac extending towards the right. The surrounding area is a mix of green fields, trees, and some buildings. In the background, there is a large body of water, likely the ocean, under a clear sky. The word "Questions" is overlaid in white text in the upper right quadrant of the image.

ITEM 4

MCCLELLAN-PALOMAR AIRPORT MASTER PLAN UPDATE:

Information Received from the Public



September 19, 2018

Citizens for a Friendly Airport
7040 Avenida Encinitas, Suite 104-467
Carlsbad, CA 90211

San Diego Regional Airport Authority
Airport Land Use Commission
SDCRAA Administration Building
3225 No. Harbor Drive
San Diego, California 92101

Members: C. April Boiling, Greg Cox, Jim Desmond, Mark Kersey, Robert T. Lloyd, Paul Robinson, Johanna S. Schiavoni, Michael Schumacher, Mark B. West and Ex-Officio Board Members: Tim Gubbins, Jacqueline Wong-Hernandez, , Col. Jason Woodworth
President/CEO Kimberly J. Becker

SDRAA Legal Counsel: Amy Gonzalez

VIA: Attn: Ms. Diane Casey (Assistant to CEO Kimberly J. Becker [DCasey@san.org]) [Note: Email name and address we were given when calling SDRAA today Wednesday, September 19.)

**Re: ALUC Processing of Update to 2010/2011 McClellan-Palomar Airport Land Use
Compatibility Plan As a Result of County 2018 – 2038 Palomar Master Plan**

Ladies & Gentlemen:

We understand that the County of San Diego Board of Supervisors will likely approve its twenty-year McClellan-Palomar Airport Master Plan and certify its Programmatic EIR on October 10, 2018. We also understand that the SD ALUC will be updating the 2010/2011 MP Land Use Compatibility Plan to comply with state requirements.¹

The C4fa-detailed-comments follow in the table below. Please assure that these comments are considered by ALUC staff and the ALUC members when preparing the update.

But a few new comments are appropriate in light of county comments in the last week.

When preparing its MP LUCP update, the ALUC needs to look at the actual Palomar Master Plan (PMP) projects county proposes – as opposed to the labels that county is trying to give its PMP in its last minute effort to overcome public comments on its PMP and Draft PEIR. Here is why.

- *Palomar Critical Design Aircraft.* County’s PMP concedes that more than 500 annual C and D operations have occurred at Palomar annually over the last 15 years. In fact, the number exceeds 10,000 annually in most years. The FAA requires the Airport Reference Code (ARC) to conform to the actual critical design aircraft. Yet county’s recent papers suggests it may “maintain” Palomar as a B-II airport.
- *Runway Safety Area.* County has said in its PMP that it will ultimately place an EMAS [350-foot Engineered Materials Arresting System] at each runway end. However, county’s PMP says it won’t install the east end EMAS for at least 13 years. These facts make it apparent why county may want to continue to say Palomar is a B-II airport when the proper FAA critical aircraft design ARC designation is C. An FAA C designation requires 1000-foot runway safety areas (RSAs) at each end of the Palomar paved runway. Or an FAA-approved EMAS. Count’s clear desire – even with an initial 200-foot runway extension – is to operate without an east end EMAS. As a result an aircraft taking off toward the east and overshooting the runway travels into the Palomar Unit 3 19 acre runway east end landfill, which has a methane gas collection system beginning about 4 feet below the sandy surface.
- *PMP Wingspan Separation.* Quite clearly what county is trying to claim is that it is maintaining a B-II airport to sooth public objections but build projects to meet FAA ARC D requirements. The best example of this is county’s plan to increase the

¹ The CalTrans State Aeronautics Handbook, which State law requires the ALUC to follow, recommends an update at least every 5 years. So the MP LUCP update was due several years ago, especially in light of the very substantial development of the vacant land around Palomar Airport and within 2 miles of it.

distance between the Palomar taxiway centerline and runway centerline so that larger C and D aircraft with wider wingspans can concurrently operate.

- *Runway Width.* The FAA requirement for runway width of a B airport is 75 feet to 100 feet. Yet county now has a 150-foot runway and will relocate the runway with a similar width.

Thank you for considering the C4fa comments. **Please confirm your receipt of this email and the distribution of the comments to Raymond Bender at benderbocan@aol.com and 760 752-1716. We also request (i) actual notice of all meetings at which the ALUC will consider the MP LUCP Update and (ii) copies of all materials that ALUC provides ALUC members at least two weeks before the meeting at which the ALUC considers an MP LUCP update so that C4fa members have a fair opportunity to review the issues. That process will allow better C4fa input at the upcoming ALUC meeting considering the MP LUCP Update. We also request that the ALUC determine and provide actual notice to the property owners surrounding Palomar Airport that may be impacted by Updated ALUC MP LUCP noise and safety maps. As mentioned in the table below, we understand that some owners whose property was impacted by the 2010/2011 ALUC MP LUCP Update did not timely receive actual noise and were substantially adversely affected.**

PLEASE ESPECIALLY NOTE THAT THE BELOW TABLE CONTAINS SEVERAL SCREEN SHOTS WHICH MAY TAKE A MINUTE TO APPEAR ON THE COMPUTER SCREEN. PLEASE ASSURE THE SCREEN SHOTS ARE PRESENT BEFORE REPRODUCING COPIES FOR THE INTENDED RECIPIENTS.

Comments of Citizens for A Friendly Airport (C4FA.org) on ALUC Update of 2010/2011 McClellan-Palomar Land Use Compatibility Plan as a Result of County's New Twenty Year Palomar Master Plan

<p>Preliminary Comments:</p>

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| <ul style="list-style-type: none">• C4fa. Citizens for a Friendly Airport is a citizens group, whose members have provided comments to County and Carlsbad on (i) the March 2018 County PMP Programmatic EIR (PEIR); and (ii) the June 2018 County re circulated portions of the PEIR.² C4fa maintains a website at C4fa to inform the public about the impacts of county's proposed Palomar Master Plan projects. |
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² After receiving comments from the city of Carlsbad's nationally recognized aviation law firm (Kaplan, Kirsch, and Rockwell) and the public, county in June 2018 requested further PEIR comments on biological, greenhouse gas (GHG), energy consumption, and Runway Protection Zone (RPZ) issues. By August 6, 2018 Carlsbad and the public again commented noting major deficiencies in the county PEIR assumptions, facts, methodologies, and analyses.

- **C4fa McClellan- Palomar Land Use Compatibility Plan [LUCP] Concerns.**
 - Based on reviewing the process previously followed by the SDRAA ALUC, Carlsbad residents are concerned that the ALUC process does not sufficiently analyze or inform the public of ALUC restrictions on lands near the airport.
 - For instance, at a Carlsbad Council meeting earlier this year, two businessmen appeared before the Council and noted (i) ALUC restrictions have caused them to lose more than \$1 million, essentially converting a first class office building, to use for limited storage and (ii) they became aware of ALUC LUCP restrictions incidentally, not by ALUC actual notice.
 - The ALUC should assure that new ALUC restrictions resulting from the county 2018 PMP and/or Airport Layout Plan (ALP) are properly adopted with **actual notice** to the property owners who may be impacted so they can timely provide their input to the ALUC.

- **C4fa Public Input.** C4fa members have appeared before the Carlsbad City Council five times since February 2018 to provide the council information related to county's PMP and PEIR and also attended PMP workshops. County operates MP pursuant to Carlsbad CUP 172, which county says in its current PMP and PEIR, that county need not comply with.

- **Savecarlsbad.com** For the last two years, one C4fa member (Graham Thorley) has maintained the website www.savecarlsbad.com to inform the public of Palomar-related issues.

- **Carlsbadpatch.com & San Diego Free Press Palomar Info.** For the last four years, one C4fa member (Ray Bender) has posted more than 200 articles on Carlsbadpatch.com related to Palomar developments and had seven articles published in the San Diego Free Press related to Palomar issues.

- **The 3 PMP Projects.** The county 2018 PMP proposes three basic Palomar Airport expansion projects:
 - **D-III Conversion:** Converting Palomar from an FAA-rated B-II airport to a D-III airport to handle a higher percentage of corporate jets and passengers by regularly scheduled air carriers. County forecasts a future passenger level of 304,000 to 575,000 depending on marketing success. In December 2016, Supervisor Horn stated it was

time for Palomar to replace the GA aircraft with the larger, faster commercial aircraft. **Attachment A** to these comments provides a transcript of Mr. Horn's comments, which advise small aircraft to move to other airports.³

- **200-foot Runway Extension & West End EMAS & East End RSA (Near Term).**
- **Runway Relocation north about 100 feet, and a total either 800-foot extension or 900-foot extension from 4900 feet to 5700 or 5800 feet, and EMAS at both west and east ends (Longer Term).** County's PMP and PEIR conceal the 900-foot extension (rather than 800-foot extension) in the following way.
 - **At the December 15, 2016 BOS meeting, four of the five BOS members accepted the SD consultant Kimley-Horn recommendation for an up to 800-foot extension.** Supervisor Horn did not he pressed the consultant to come up with an extra 100-feet.
 - **On the surface, the 2018 PMP projects refer to an up to 800-foot extension.** However, Kimley-Horn as directed by Supervisor Horn suggested a massive west runway end retaining wall costing about \$12 million in order to create additional land.
 - **County in the past, without any fanfare or notice to the SDCRAA ALUC increased the Palomar runway from 4700-feet to the current 4900-feet.**
 - **In other words, quite clearly what the BOS intends to do is approve an unneeded west end \$12 million retaining wall so that county at some time in the future with a CEQA negative declaration can add 100 feet to its then 800 cumulative extension.**
 - **CONCLUSION: The ALUC needs to pin the county down or simply analyze a 900-foot runway extension rather than an 800-foot runway extension.**
- **D-III Conclusion:**
- **Although county in the last week has suggested it might label Palomar as a B-II airport, its PMP makes clear that it is undertaking improvements for a D-III airport. The PMP improvements documenting that include D-III sized runway lengths and widths; installing 350-foot EMASs [eventually] in lieu of 1,000 foot RSAs to meet D-III FAA RSA requirements; building a \$12 million runway west end massive retaining wall, which is not needed for an 800-foot runway extension but is needed for a 900-foot runway extension; and installing \$8.6 million of navigational aids. As noted initially above, judge county not by its labels but by the actual improvements it intends and passenger levels it forecasts, which determine the size of the ALUC-designated noise and safety areas.**

³ As the SDCRAA recognized when it prepared its 2010 Regional Airport Strategic Plan (RASP), the SDCRAA can divert aircraft from Lindbergh Field by changing rate structures that discourage Lindbergh Field use and encourage aircraft to Palomar. This is just one example of how increased FAA-rated C and D aircraft using Palomar will displace the smaller general aviation aircraft.

- **Specific McClellan-Palomar Land Use Compatibility Plan Issues.** C4fa members have reviewed the 2010/2011 McClellan-Palomar LUCP. Based on that review, we request that ALUC staff discuss the below issues in its report and recommendation to the ALUC members when considering how to update the 2010/2011 MP LUCP.
- **Table Part A below discusses specific ALUC compatibility issues that the county PMP project elements raise. Table Part B below indicates why various sections in the ALUC 2010/2011 MP LUCP require updating.**

PART

LUCP Issues raised by the County 2018 PMP Project Elements

Preliminary Note:

The SDCRAA ALUC airport Land Use Compatibility Plan (LUCP) process follows the guidance set forth in the CalTrans Division of Aeronautics “*California Land Use Planning Handbook.*” In § 2.4.2 entitled *ALUCP Amendments* at page 2-9, the Handbook states: “***A comprehensive review and update is recommended at least every five years. The ALUC last updated the McClellan-Palomar LUCP in 2010/2011, about 7 years ago.***”

As noted below, in the last 12 months alone, Carlsbad has authorized construction projects within 3 miles of the airport totaling more than 1,000,000 square feet. Accordingly the ALUC should be starting a “comprehensive” MP LUCP review even before county submits its proposed \$110,000,000 Twenty-Year Palomar Master Plan project expansion.

Also, note that when the ALUC last updated the MP LUCP, the ALUC used the Cal Trans 2002 Handbook edition. [See § 1.2 at page 1-4 of 2010/2011 MP LUCP.]

In short, a new ALUC analysis redefining airport-related noise and safety zones needs to take into account (i) considerable Carlsbad development near the airport, (ii) the latest requirements of the 2011 Cal Trans Handbook, and (iii) county’s desire to both extend its runway 800-feet over a methane emitting landfill and to relocate the runway and convert Palomar from an FAA-rated B-II airport to an FAA-rated D-III airport.

#	Issue	Old v. New and/or	Requested ALUC Analysis & Points to be Considered
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		Clarifications	
1	Runway Size	Phase 1: 4900-feet to 5100 [EXISTING Runway location]	<ul style="list-style-type: none"> ● Advise how the 5 existing noise areas and 5 existing safety areas will change ● Points to consider include: <ul style="list-style-type: none"> ○ Post 2010 Carlsbad Development. Carlsbad has permitted many hotels and developments just south of Palomar Airport Road (PAR) within 2 miles of MP since the 2011 LUCP; ○ D.R. Horton Runway Approach Development. As these comments are written, D.R. Horton is building many new townhouses directly within the Palomar east approach path; ○ 20-Fold Forecasted Increase in Passenger Traffic. County forecasts air carrier annual passenger increases from less than 15,000 today to between 304,000 and 575,000 in its twenty-year plan⁴. ○ Displacement of GA Aircraft and Upward Swing in FAA-Rated C and D Aircraft. Supervisor Horn at a Board of Supervisor meeting set a goal of displacing general aviation aircraft in favor of commercial aircraft. [See our Table Attachment A, Horn 12/15/16 Transcript.] <p>When FAA-rated A and B aircraft crash, they carry comparatively few people and comparatively little fuel. When FAA-rated C and D aircraft crash, they typically carry far more people and fuel and crash at faster speeds. The table below provides a rough listing of fuel and passenger loads. In the last four years, Palomar has handled few air carriers and very light passenger loads. Most B and C aircraft operations were corporate with the aircraft carrying 2 to 8 people. As the table shows, as aircraft size, speed, and fuel carriage increases, the aircraft in a crash is a bigger bomb capable of causing great damage. The many manufactured housing units about 2 miles east of the Palomar Airport runway would easily be destroyed by a large</p>

⁴ As the current MP LUCP notes (See C-5 of Appendix C) ALUC-designated safety zones take into account harm to aircraft occupants as well as safety on the ground.

aircraft crashing into the mobile home park.

REQUEST: When calculating its new MP LUCP safety areas, the ALUC should include its own Risk Safety Table showing how converting Palomar from a B-II airport to a D-III airport or D-III airport and changing the aircraft mix will increase safety concerns. How will the size of the impact areas and dispersion areas change with D-III aircraft v. A or B aircraft?

Comparative Risks: A v. B v. C v. D Aircraft				
Size	Max Take Off Weight	Max Approach Speed (knots)	Max People at Risk on Aircraft	Max Fuel Load (lbs.) and (gal)
A	2,750 pounds	91	2	432 (72 gal)
B	?	121	30	
C	?	141	60	?
D	91,000 pounds	166	110	41,300 (6,883 gal)

2	Runway Size	Phase 2: 100-foot North Relocation and Rebuild: 4900-feet to 5700 feet ⁵	<ul style="list-style-type: none"> • Advise how the 5 noise and 5 safety areas will change again when county both shifts its runway north and extends the runway 800 feet in total. • Points to Consider – in addition to those in Item 1 above – discuss the issues below. <ul style="list-style-type: none"> ○ Added Threats to ECR Traffic. With the existing 4900-foot runway, landing aircraft touch down about 1200 feet from ECR. With a 5700-foot runway, landing aircraft will touch town about 400 feet from ECT. At an approach speed of 166
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⁵ We are aware that the 2010/2011 MP LUCP refers to the ALUC analyzing runways in the range of 4,000 to 6,000 feet in length. However that analysis involved a B-II airport serving 90% small GA aircraft with comparatively few passengers. As noted in the table above, a Palomar Airport handling predominantly B, C, and D aircraft and hundreds of thousands more passengers raises entirely different safety considerations.

			<p>knots, the aircraft travels about 280 feet per second. So an 800-foot extended runway will place 100,000 pound landing aircraft about 1.5 seconds from ECR traffic. It appears that landing aircraft would be about 100 feet above ECR car and truck rooftops. When updating the MP LUCP, please provide the accurate data to replace our estimated data and assess the increased risk.</p> <ul style="list-style-type: none"> ○ Added Threats to Areas North of Relocated Runway & Taxiway. Relocating the runway north removes north Palomar Airport aircraft parking. That movement combined with faster, larger aircraft increases the chance of an errant aircraft sliding into private property north of the runway. Assess this risk. ○ Changes in Risks Resulting from EMAS Installs. Palomar now has no Engineered Material Arresting Systems (EMASs). County plans to install two EMASs, one at each relocated runway end (with the east end EMAS delayed about 15 years.) EMASs are meant to control rolling aircraft (at the end of takeoff or end of landing) traveling no more than about 70 knots). However, an EMAS install requires the county to designate a “buffer” area between the interior EMAS and runway-landing threshold. In short, the landing runway threshold will be displaced to assure landing aircraft touching down at 121 to 166 knots do not enter the EMAS closest to landing. Accordingly, the threshold displacement alters the approach RPZ area. In the updated MP LUCP, distinguish the approach and departure RPZs and explain how county PMP project changes affect their designation. <ul style="list-style-type: none"> ● REQUEST: In the updated MP LUCP, address the issues discussed above.
3	County-Designated RPZ Areas	County’s June 21, 2018 Re-circulated PEIR RPZ Areas	<ul style="list-style-type: none"> ● County’s June 21, 2018 Re-circulated PEIR parts includes redrawn RPZs for various Palomar Airport alternatives. For the many reasons set forth in our August 2018 comments, to the county PEIR re-circulation, the county-depicted RPZs are incomplete and often misdrawn. See the Bender comment Items 31 – 43 at pages 51 – 75 of the Comments on the County Re-circulated PEIR portions. We mailed hard copies of our comments to the ALUC during the week of August 6. The ALUC also has our binder comments from March 2018, which describe in detail why county’s PMP and PEIR fail to comply with Government Code Planning and Zoning requirements, which we understand the ALUC needs to review to find that the County General Plan is consistent with the ALUC Updated 2018 MP LUCP.

			<ul style="list-style-type: none"> • Rather than repeat all of our PMP PEIR RPZ comments, we incorporate them by reference. In sum: <ul style="list-style-type: none"> ○ County is incorrect when it suggests that future RPZ areas will be smaller than current RPZ areas. The increased airport mix of faster, larger aircraft will enlarge the areas. If the ALUC disagrees, please explain in your updated MP LUCP. ○ In preparing the RPZ areas, county has failed to properly account for EMAS installations and EMAS/runway buffer areas. ○ County has failed to provide drawings actually showing the property owners impacted by new RPZs. • REQUEST: In the updated MP LUCP, address the issues above.
4	Passenger Load and Larger Aircraft	Increase from 15,000 to as much as 575,000	<ul style="list-style-type: none"> • The ALUC 2010/2011 MP LUCP refers to a then existing 15,000 annual Palomar passengers with projected passengers of 35,000.⁶ • County’s 2018 PMP forecasts a low passenger range by 2036 of 304,000⁷ (county’s PAL 1) annual passengers and a high of 575,000 (county’s PAL 2).⁸ • REQUEST: The ALUC Updated 2018 MP LUCP needs to assess the increased passenger risk resulting from: <ul style="list-style-type: none"> ○ Up to 15 to 20 times as many passengers being handled; and ○ Passengers using 100 seat aircraft rather than 30 to 50 seat aircraft, which means crashes will occur with substantially more fuel aboard and likely at faster speeds.
<p>PART B</p> <p>Comments on Sections in the ALUC 2010/2011 MP LUCP Requiring Updating</p>			

⁶ See MP LUCP, Table IV-2 at page 4-13.

⁷ See 2018 PMP, Table 3.17 at page 3-33.

⁸ See 2018 PMP, page 4-2 and county based this number on an earlier ALUC RASP.

Comments on ALUC 2010/2011 MP LUCP Chapter 1 entitled *Introduction*

1	§ 1.1, Overview p. 1-1	<ul style="list-style-type: none"> • Compatibility v. Consistency • PUC References 	<ul style="list-style-type: none"> • ALUC Terminology: Compatibility v. Consistency. Throughout the LUCP, the ALUC uses the terms “compatibility” and “consistency.” ALUC does not well define the difference between the terms. Clarification would be helpful. <ul style="list-style-type: none"> ○ We understand “compatibility” to focus on whether local community land use policies around Palomar are compatible with the standards established in the Cal Trans, Division of Aeronautics, Land Use Planning Handbook and the standards that ALUC establishes. ○ In contrast, we understand the term “consistency” to focus on whether (i) local community-adopted General Plans are “consistent” with the ALUC-established airport compatibility standards or (ii) inconsistent because a local entity has qualified its acceptance. . ○ We especially focus on this issue as a result of a C4fa member conversation with ALUC staff last year. In that conversation, the staff member was especially sensitive to the use of these two different terms. We wish to be accurate. Precise guidance would be helpful. • REQUEST: If our understanding of the meaning of the two terms is incorrect, please clarify the correct use of these terms in the ALUC updated MP LUCP. If our understanding is correct, revise the MP LUCP to more clearly make the distinction. Consider supplementing the ALUC MP LUCP definitions, which occur later in § 2.2. • MP LUCP Statutory References. The MP LUCP Appendix A reproduces various laws. It would be helpful if the MP LUCP crossed referenced Appendix A when citing the law.
	§ 1.1.2 Statutory Requirements p. 1-2 et	<ul style="list-style-type: none"> • ALUC – FAA Jurisdictional Issue 	<ul style="list-style-type: none"> • At p. 1-3, the MP LUCP notes that the “<i>ALUC has no jurisdiction over federal lands.</i>” Due to the 2018 county PMP projects proposed, interesting issues arise as to how the foregoing limitation impacts ALUC noise and safety areas for the following reasons: <ul style="list-style-type: none"> ○ FAA Leased Lands. The ALUC needs to clarify what “<i>federal lands</i>” means. The

	seq	<ul style="list-style-type: none"> Public Notice Issues Related to ALUC Adoption of MP LUCP 	<p>FAA does not own the MP northeast parcel at El Camino Real (ECR) and Palomar Airport Road (PAR). However, the 2018 county PMP lists among the projects that will be carried out the installation of \$8.6 million dollars of navigational improvements that will be necessary on the northeast parcel as a result of county extending its runway 800 feet eastward. County leases various land areas on the northeast parcel to the FAA. Question: Are lands leased to the FAA within ALUC jurisdiction? Are lands leased to the FAA within the city of Carlsbad land use jurisdiction?</p> <ul style="list-style-type: none"> RPZs. If lands leased to the FAA are not within ALUC jurisdiction, how does that conclusion impact, if at all, the designation of RPZ zones and other safety zones that the ALUC designates in its updated MP LUCP? We understand that in the past, the ALUC – when determining the five safety zones around Palomar – has included the northeast parcel as the Runway Protection Zone (RPZ) REQUEST: In the updated MP LUCP, explain: <ul style="list-style-type: none"> Whether the ALUC does or does not have jurisdiction over lands that the county leases to the FAA for navigational aids and provide the FAA correspondence confirming the ALUC’s conclusion. Whether and how such leased land impacts the ALUC designation of MP LUCP noise and safety zones. ALUC NOTICES TO PROPERTY OWNERS.⁹ MP LUCP § 1.1.2 discusses laws applicable to the ALUC creating an MP LUCP but says nothing about what notices the land owners affected by ALUC designation of noise and safety zones are entitled to. The importance of this issue is shown by recalling recent history. <ul style="list-style-type: none"> Adversely Affected Landowners. We understand that several months ago several businessmen owning land within MP LUCP land-restricted areas appeared before the Carlsbad city council. They noted that ALUC restrictions had greatly restricted the
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⁹ The C4fa comments are general in nature. No attempt is made to analyze legal issues. We note though that the ALUC restricting land uses around Palomar without first giving actual notice to known property owners in a relatively restricted area seems to raise federal and state due process issues similar to those arising in condemnation and inverse condemnation actions.

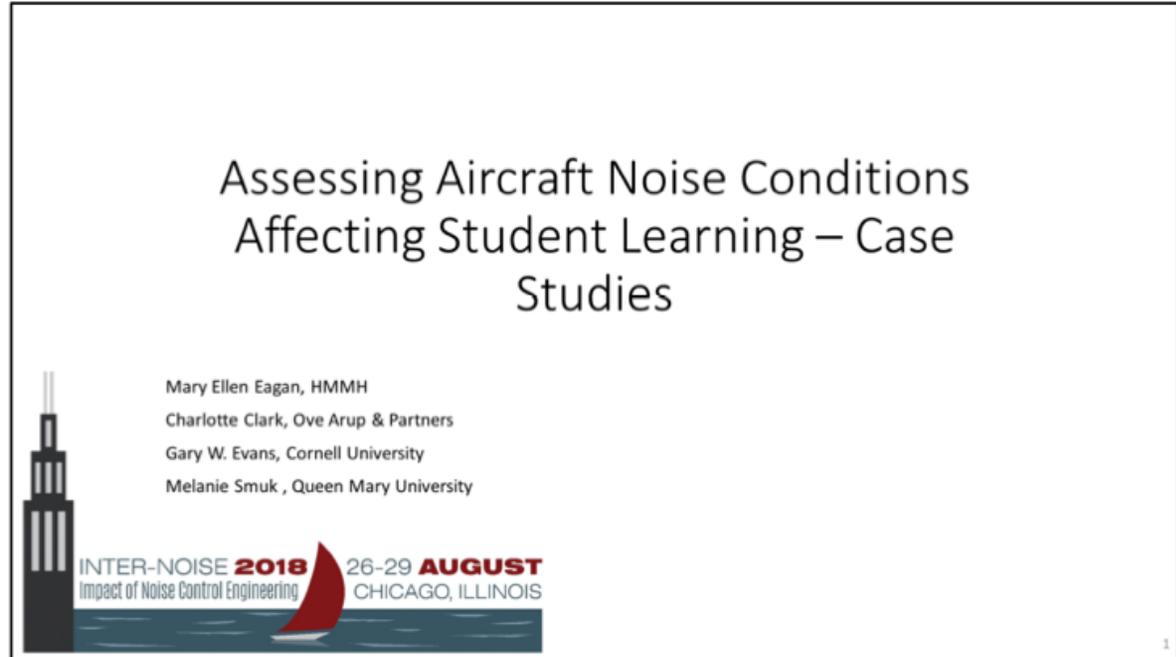
			<p>value of their office facility, perhaps by as much as \$ 1 million. They indicated they had never been given actual notice of the restrictions. The Carlsbad Council refused to grant a variance for use of the property.</p> <ul style="list-style-type: none"> ○ Due Process Standard. We have no idea what the ALUC position is on this issue. Perhaps it is (i) the ALUC has no obligation to give actual notice to affected property owners or (ii) constructive notice by publication in newspapers is adequate. C4fa has no notice of what the legal standard is. And that is precisely the point. The ALUC is undertaking regulation without fully informing those regulated what their rights are. If the ALUC is constructively taking property by regulation, property owners should be given actual notice so they can appear at the ALUC meeting at which their property interests may be adversely affected. ● REQUEST: In §1.1.2 of the updated MP LUCP, explain what notices the ALUC will give to property owners affected by its proposed noise and safety zone designations. If the ALUC position is that no actual notices are required, explain why not. Also state the newspapers that the ALUC does use when it publishes notices of its actions.
Comments on ALUC 2010/2011 MP LUCP Chapter 2 entitled <i>Airport Land Use Commission Policies</i>			
2	§ 2.2.14 CNEL p. 2-3	<ul style="list-style-type: none"> ● Berkeley Keep Jets Over the Bay, 111 Cal.Rptr.2d 598 SNEL 	<ul style="list-style-type: none"> ● The MP LUCP states in § 2.2.14 that CNEL is the land use metric adopted by the State of California for land use planning. State law includes both legislative and court made law. In <i>Berkeley Keep Jets Over the Bay</i>, the court concluded that airport planning also required analysis of Single Noise Events (SNELs). The MP LUCP definitions in § 2.2 do not address this issue. ● REQUEST: In its updated MP LUCP, explain how the ALUC will consider the SNEL analysis issue in its analysis now that the court has required it. In that discussion, explain how SNELs affect student learning. See for instance the August 2018 report entitled “Assessing Aircraft Noise Conditions Affecting Student Learning – Case Studies” by Arup and Partners and Cornell University and Queen Mary University. We reproduce the cover page from the report below to aid you in finding it.

§ 2.4
Airport
Impact
Types,
p. 2-10
and §3.6
Over-
flights at
pp. 3-55
et seq

- Overflights

Recall also that the ALUC has identified its responsibility to assess the impacts of aircraft Over flights. [See MP LUCP p. 2-11; MP LUCP §2.4.2(d)]. In MP LUCP § 3.6, the ALUC does discuss overflight policies. However, the ALUC in essence simply says that if you are a property buyer and get notice that an airport is nearby, the ALUC has satisfied its obligation because the State dictates such notice.

But telling property owners that the airport may affect their homes is entirely different from forewarning them that their children’s education may be impacted – as the noted report documents.



			<ul style="list-style-type: none"> • Overflights. Various MP LUCP sections, including § 2.4.1 and § 3.6, refer to aircraft overflights as one of the four ALUC concerns. In a nutshell, the ALUC says it can do little if anything about such flights. Perhaps the ALUC could improve its analysis. For instance general aviation over flights dump lead from leaded aviation fuel on houses below.¹⁰ <ul style="list-style-type: none"> ○ Overflights trigger both noise and safety concerns. Neither the FAA, nor county, nor ALUC describe what over flights are proper and which are not. ○ We suspect that few if any ALUC Board members could explain when overflights violate the law by being too low as related to the distance of aircraft taking off and arriving at Palomar. We did not see anything in the MP LUCP, which explains this. • REQUEST: In the ALUC MP LUCP, state (i) when aircraft arriving at and leaving Palomar Airport are deemed to be too low and hence raise safety concerns, (ii) the written source of the info that the ALUC is using, and (iii) the official complaint procedure with contact info that concerned members of the community may use when such situations occur. <p>From the perspective of C4fa, the ALUC shirks its duty if its response is: Talk to the FAA or Talk to the County. We understand that the answer to the foregoing question needs to relate the aircraft altitude to its distance from Palomar and perhaps to the type of aircraft (FAA-rated A, B, C, or D).</p>
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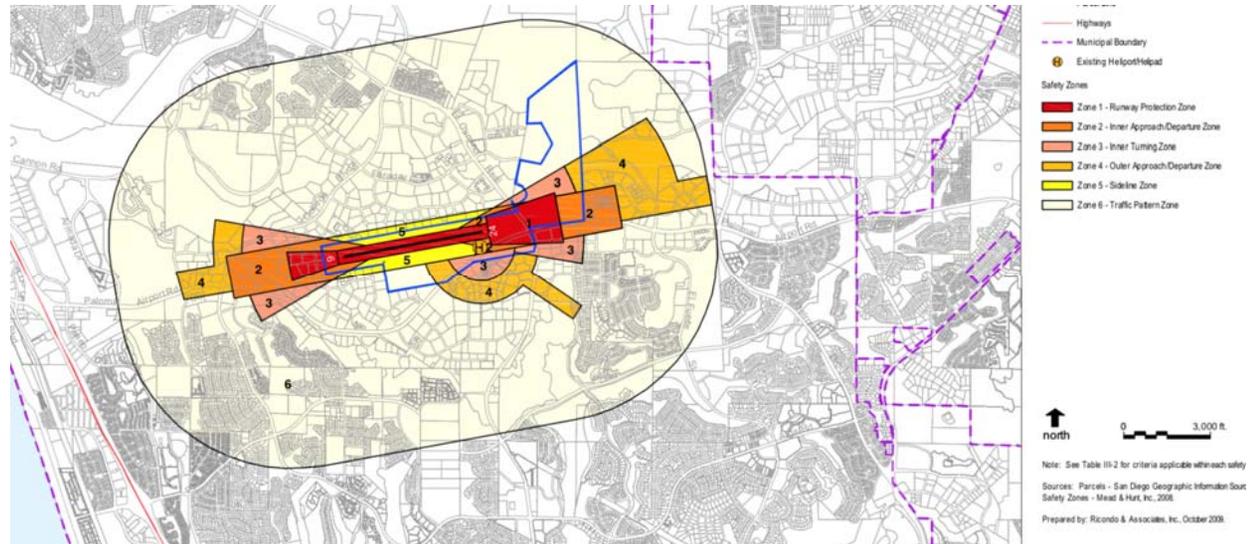
¹⁰ Because the use of leaded aviation fuel is so bad, we understand that the present FAA target to eliminate the sale of leaded aviation fuel is December 2018. However, private GA pilots tell us that leaded additives are readily available and when the sale of leaded aviation fuel is eliminated, they will simply use the additives – rather than buying a new engine or retrofitting their old engines at substantial cost.

§2.4 and § 2.6.1 and § 2.8 and § 2.9 and § 2.12

Consistency of Vista General Plan with ALUC Compatibility Plan

Also, provide an answer in terms of meaningful street locations. An answer along the lines of: Aircraft departing Palomar must be at least x feet above mean sea level when more than y miles from the airport does not tell the reader where the x mile limit is. The ALUC can accomplish that by including in its updated MP ALUC Thomas Guide Atlas maps with appropriate radii from the airport shown.

- The ALUC 2010/2011 MP LUCP Exhibit III-2 [“Compatibility Policy Map Safety”] shows the ALUC Safety Zone 4 stopping just shy of the Vista Municipal boundary. If the Palomar runway is extended 800-feet to the east, it appears based on the Exhibit III-2 scale that property owners within the city of Vista will be impacted. The colored LUCP Exhibit III-2 provides better information but a reproduced black and white Exhibit III-2 is reproduced below.



	<p>2.4 and § 2.6.1 and § 2.8 and § 2.9 and § 2.12</p>	<p>Consistency of County General Plan with ALUC Compatibility Plan</p>	<ul style="list-style-type: none"> • Based on the county 2018 Palomar Master Plan, it appears the ALUC needs to resolve an issue it has not previously recognized. <ul style="list-style-type: none"> ○ Note from the MP LUCP Exhibit III-2 above that the county airport has an irregular parcel outlined in blue (in the original drawing) in a north-south orientation. ○ This irregular parcel crosses the Runway Protection zone and safety zones 2, 3 and 4. ○ That parcel is on the Northeast corner of El Camino Real (ECR) and Palomar Airport Road (PAR). ○ In theory, county operates Palomar Airport pursuant to Carlsbad Conditional Use Permit (CUP) 172. However – <ul style="list-style-type: none"> ▪ The Carlsbad CUP 172 boundaries [as shown in a CUP attachment] do not extend across El Camino Real to the Northeast airport parcel. ▪ Moreover, County in its 2018 PMP and in related statements has said that it is not bound to comply with Carlsbad planning or zoning because county is a superior governmental entity. ○ Although county has adopted a General Plan as required by the Government Code, the GP on its face states that it applies to the unincorporated areas of the county. ○ Accordingly, if county wants to build any structures within the irregular parcel outlined in blue noted above – which county owns – there is neither a Carlsbad General Plan nor a County General Plan. ○ Conclusion: Until either (i) county says any structures it wishes to place within the irregular blue shaped area are subject to Carlsbad Planning and Zoning or (ii) county amends its General Plan in accordance with Government Code requirements to apply county planning and zoning to the affected area, it would be impossible for the ALUC to make the statutorily required finding of consistency with the ALUC’s updated MP LUCP. ○ Note: The same issue applies at Gillespie Field and should be addressed in the Gillespie LUCP. • REQUEST: In the Updated MP LUCP, advise (i) how the county PMP projects will impact Vista residents and (ii) what actual notices the ALUC will give to Vista property owners impacted by the county Palomar Runway extension.
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			<ul style="list-style-type: none"> • REQUEST: In the Updated MP LUCP, advise how the ALUC will address the issue of county placing structures in the irregularly shaped blue area noted above when structures in this area exist in a “No Man’s Land” currently not regulated by Carlsbad (because the county denies the Carlsbad jurisdiction) and not regulated by the county because the county plan applies to unincorporated areas of the county and the relevant area is with the boundaries of the city of Carlsbad.
Comments on ALUC 2010/2011 MP LUCP Chapter 3 entitled <i>McClellan-Palomar Airport Policies and Maps</i>			
3	§ 3.2 § 3.2.1 § 3.2.2	Compatibility Zone Designation	<ul style="list-style-type: none"> • These sections seem inconsistent for these reasons: <ul style="list-style-type: none"> ○ § 3.2.1 suggests that the 2010/2011 MP LUCP is based on the FAA approved 2008 ALP, which refers to an ultimate ARC of C-II. ○ § 3.2.2 in contrast refers to ALUC-designated safety zones based on “general aviation” aircraft [as opposed to commercial sized aircraft]. ○ The risk to people on the ground in safety zones and the size of the crash debris field increase dramatically as aircraft increase in weight, fuel carried, and speed. ○ Similarly, the risk to people in a crashing aircraft increase dramatically depending on whether an FAA-rated 90,000 pound aircraft carrying 6,000 pounds of fuel, and traveling faster carries 5 corporate passengers or 100 commercial air carrier passengers. ○ In short, did the ALUC 2010/2011 safety zones analysis base its zone designations on the 10,000+ larger aircraft then using Palomar [despite the inaccurate designation of the critical design aircraft as the Falcon] or only on the “general aviation” aircraft that the 2010/2011 MP LUCP refers to? Where is the supporting proof and calculations of the crash debris fields to support the ALUC conclusion? • REQUEST: In the Updated MP LUCP (i) address the issues noted above and (ii) rather than referring to “general aviation” aircraft, provide a table showing the heaviest, most fuel laden, and fastest aircraft used to determine the crash safety areas and debris fields. Also in a technical Appendix provide the assumptions, methodology, and

			computer model used to determine the noise and safety zones so that a consultant retained by the public may review them.
	§ 3.2.2	Runway Length and Orientation	<ul style="list-style-type: none"> • REQUEST: Because county plans to relocate its runway northward, and hence change the orientation of the runway, which the ALUC analyze in 2010/2011, in the Updated MP LUCP, show how the safety areas change. Presumably, that analysis means increasing the restrictions on some property owners and reducing the restrictions on others. Likely, such changes will have a material financial impact on such owners. Accordingly, in the Updated MP LUCP, provide maps and lists of property owners impacted to assure that such property owners received proper procedural due process of the intended changes.
	§ 3.3	Noise Compatibility Policies for McClellan-Palomar Airport	<ul style="list-style-type: none"> • The ALUC noise analysis applies CNEL principles only. In <i>Berkeley Keep Jets Over the Bay</i>, 111 Cal.Rptr.2d 598, the California courts imposed an additional noise analysis requirement to account for numbers of Single Noise Event Levels (SNEL). • REQUEST: In the Updated MP LUCP also provide a SNEL analysis especially as it relates to Carlsbad schools near the airport. As noted in Item 2 at page 14 above a 2018 study of the impact of noise on schools shows that student learning can be substantially disrupted by aircraft noise. If the ALUC does not provide an SNEL analysis, explain why so that the issues are properly framed for court review.
Comments on ALUC 2010/2011 MP LUCP Chapter 4 entitled <i>Background Data: McClellan-Palomar Airport and Environs</i>			
4	Table IV-2 at p. 4-13 and 4-14	Enplanements	<ul style="list-style-type: none"> • Note that the 2010/2011 MP LUCP assumed 15,000 to 35,000 annual enplanements whereas the 2018 PMP forecasts 304,000 to 575,000 annual enplanements. • In other words prior Palomar operations endangered about 30 persons per aircraft and forecasts about 100 persons per aircraft being endangered.

		<p>Metroplex Flight Path Changes</p> <p>Helicopter flight path changes resulting from new hospitals and schools.</p>	<ul style="list-style-type: none"> • In addition the increased passenger load means higher numbers of larger, faster, more fuel-laden aircraft flying, which changes the size and shape of the crash debris zone. • Note also that the FAA’s implementation of NextGen [which fans out flight paths over a broader area as reflected by noise suits against the FAA from communities now suffering noises in neighborhoods not formerly in issue] changes the Flight Track usage at Table IV-2 on page 4-14, which the ALUC relied on to prepare its 2010/2011. • Also, Table IV-2 at page 4-15 relied for its analysis on the location of certain hospital and schools. We understand that in the last 8 years, more schools and hospitals have been built and presumably will be addressed in the Updated MP LUCP since crash locations for helicopters ferrying patients will change.
	<p>Table IV-3 at p. 4-23 and 4-24</p>	<p>Improvements near runway</p> <p>County General Plan Consistency</p>	<ul style="list-style-type: none"> • Table IV-3 is seriously out of date. In the last 4 years alone, Carlsbad has approved major commercial (many hotels) and residential units within 2 miles of an extended Palomar runway. The new ViaSat HQ campus alone is nearly 1,000,000 square feet. • The ALUC information in Table IV-3 at p. 4.24 related to the County General Plan confuses us. <ul style="list-style-type: none"> ○ Palomar Airport as well as much of the impact noise and safety areas are within the city of Carlsbad. ○ In its 2018 PMP, the county says that – as a superior governmental entity – county is not bound by Carlsbad Planning and Zoning. ○ We also understand that the County General Plan expressly says that it applies only to unincorporated areas. Any county Palomar Airport owned areas within Carlsbad [such as the entire airport Palomar parcel on the northeast corner of Palomar Airport Road and El Camino Real] is within the city of Carlsbad. ○ It appears therefore that county uses county land in a “NO MAN’s” land not covered by the Carlsbad General Plan and not covered by the County General Plan or the GP policies.. ○ Accordingly, it appears that the last half of Table IV-3 on p. 4.24 is incorrect. Please update and explain what changes will be made and why. Please assure that the

	§4.3.2 at p. 4-33	Compatibility Data: Safety	<p>ALUC is basing its revision on what the San Diego Board of Supervisors has actually adopted in writing, as opposed to merely San Diego staff opinions.</p> <ul style="list-style-type: none"> • This section relies on various flight paths for its designation of safety zones. As noted above, the FAA introduction of Metroplex changes the prior data – as will relocation and extension of the runway from 4900 feet to 5700 feet. • REQUEST: Address the issues noted above in the ALUC Updated MP LUCP.
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Comments on ALUC 2010/2011 MP LUCP Appendix C entitled *Airport Land Use Compatibility Concepts*

1.	ALUC 2010/2011 Safety Analysis	See Appendix C [Airport Land Use Compatibility Concepts]	<ul style="list-style-type: none"> • At page C-6, the ALUC notes that the State Aeronautics Division Handbook requires analysis of commercial and general aviation airport safety contours. <ul style="list-style-type: none"> ○ The ALUC then presents Exhibits C-1 and C-2, which respectively depict accident safety distribution contours for arriving and departing general aviation aircraft.¹¹ ○ The ALUC did not provide similar exhibits depicting accident safety distribution contours for commercial arriving and departing aircraft. ○ As suggested above, we would expect commercial aircraft crash debris fields to be significantly different in shape and size due to their size, much greater fuel capacity, and speed. • REQUEST: In the updated MP LUCP, add the commercial debris fields so safety impacts can be assessed of Palomar transitioning from a B-II airport to a D-III airport. When showing the fields superimpose them over actual properties owned so that such owners have proper notice as to how their properties may be restricted.
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¹¹ We assume the Exhibit term “accident distribution contour” is a euphemism for the distribution of aircraft debris during a midair safety event [loss of aircraft parts] or crash into the ground.

			<ul style="list-style-type: none"> • At page C-6, the ALUC also notes that ALUC-designated safety zones have a “spatial” and “time” element. When the ALUC prepared its 2010/2011 MP LUCP, the FAA had not yet implemented its Next Generation [NextGen] Satellite Aircraft guidance system.¹² In 2010 (see p. C-7), the ALUC assumed aircraft approaches extended 2000 feet on either side of the runway centerline. NexGen changes this assumption. <ul style="list-style-type: none"> ○ Under the FAA pre-NextGen FAA Control Tower procedures, aircraft tended to have more uniform, repetitive flight paths. ○ In contrast, under NextGen, which Palomar is in the process of implementing, flight paths will “fan out” into broader departure and arrival patterns. Accordingly, it is foreseeable that the ALUC safety zones will broaden. How this occurs is no doubt a difficult analytic problem, possibly requiring ALUC to retain aviation experts. ○ We simply note that a properly updated ALUC MP LUCP will address this issue. • REQUEST: In the updated ALUC MP LUCP explain what criteria the ALUC uses to assess the number of feet that aircraft will approach and depart from the Palomar runway under NextGen instead of the currently used 2000-foot ALUC assumption. • At page C-14, in Table C-1 entitled “<i>Safety Zone Aircraft Accident Risk Characteristics</i>,” the ALUC evaluates various aircraft maneuver risks. It did not evaluate risks associated with Engineered Material Arresting Systems (EMAS) because Palomar in 2010/2011 did not have any EMASs. <ul style="list-style-type: none"> ○ The county 2018 PMP proposes installation of EMAS systems in phases. As noted above, an EMAS is designed to handle aircraft
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¹² In the San Diego region, the FAA has referred to NexGen as its Metroplex Plan, possibly due to the substantial community opposition and lawsuits that NexGen has generated.

			<p>overshooting a runway at about 70 miles per hour.</p> <ul style="list-style-type: none"> ○ An EMAS at the approach end of a landing aircraft is NOT designed for the approaching aircraft use. FAA-rated C and D aircraft can approach at up to 141 knots. Hence, approaching aircraft must avoid the approach end EMAS at all costs. ○ In addition, an aircraft taking off easterly from Palomar [the Santa Anna Wind scenario] today has 1000 feet of actual sandy area outside the runway in which to stop. If the runway is extended 800 feet and an east end EMAS installed, any aircraft overshooting the runway and EMAS will endanger heavy traffic on El Camino Real, which adjoins the airport. ○ An EMAS designed for 70 knot aircraft will not stop an aircraft on takeoff traveling 100 knots. This scenario can occur whenever an aircraft has a mechanical defect or physically incapacitated pilot. <ul style="list-style-type: none"> ● REQUEST: Accordingly, in the ALUC updated MP LUCP explain how a Palomar installation of EMAS systems both improves and reduces safety and changes the ALUC-safety-designated zones under various assumptions. If the runway is extended 800-feet and an East end EMAS is added, the threat to traffic on El Camino Real (perhaps 100 feet from the EMAS end) seems significantly higher for aircraft entering the EMAS at above the 70 knot design speed – as where the aircraft encounters a mechanical failure. ● At page C- 15, the 2010/2011 MP LUCP discusses the “consequences variable.” Specifically, how large is the “swath size,” area over which accident debris is spread and hence the property and people on the ground at risk in a crash. The existing LUCP refers to a swath size of about a football field for general aviation aircraft. However, the existing LUCP provides no data for commercial aircraft. <ul style="list-style-type: none"> ○ Since county plans to convert Palomar from an FAA-rated B-II
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			<p>airport to a D-III airport, the number of heavy, fast moving aircraft carrying 2,000 to 6,000 pounds of aviation fuel will increase substantially.</p> <ul style="list-style-type: none"> ○ The consequences variable also takes into account the contamination that aircraft crashes may cause. On October 15, 2013, county’s consultant SCS Engineers provided the county a report discussing the highly toxic materials that aircraft today routinely carry. Please obtain a copy of the full report from the county to review all consequence hazards. We attach the first page of the report at the end of this table. We also quote several report sentences listing the (i) pathogenic materials, (ii) radioactive materials, (iii) highly flammable materials, (iv) corrosive materials, and (v) cryogenic liquids turning to harmful gases that aircraft routinely carry. ● REQUEST: In the updated MP LUCP, describe the swath size for various commercial aircraft that will use Palomar in the future. Break out the swath size by size, speed, and expected fuel loads on larger aircraft. ● REQUEST: In the updated MP LUCP, describe how the swath size enlarges when aircraft liquids turn to dangerous gases. In other words, crashing aircraft parts endanger only property and persons within the debris field. But the winds blow chlorine and other gases over a wider area. Address this issue in your updated MP LUCP.¹³ ● At page C-16, the old MP LUCP notes that safety area designation depends in part on density and intensity requirements. In the last 7 years, Carlsbad developers have added substantial high density facilities along Palomar Airport Road including multiple hotels. Currently, a major
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¹³ Many private and governmental Risk Management Plans [such as those involving property with large tank farms storing hydrocarbon and/or chemical products] provide such analysis.

			<p>Bressi Ranch addition of commercial and residential is underway. Similarly, D.R. Horton is building townhouses and condominiums about 2 miles east of Palomar.</p> <ul style="list-style-type: none"> • On August 20, 2018, the FAA released its revised AC No. 150/5200-38 entitled “<i>Protocol for the Conduct and Review of Wildlife Hazard Site Visits, Wildlife Hazard Assessments, and Wildlife Hazard Management Plans.</i>”¹⁴ As the AC notes, an important factor in assessing aircraft safety is the likelihood of bird strikes. The AC requires an assessment of how development around the airport can change bird habitat. In the last 12 months, it appears that developments within 3 miles of the airport are removing more than 1 million square feet of existing bird habitat. These developments include the (i) new ViaSat HQ building on El Camino Real just south of Palomar; (ii) multiple hotels just southeast of Palomar Airport Road; and (iii) the very large Bressi Ranch addition of commercial and residences southeast of PAR. • In the updated MP LUCP, identify the increased Carlsbad density and intensity within 3 miles of the airport and how such development affects the ALUC-designated safety zones. • At page C-18, the 2010/2011 LUCP notes: “<i>Runway Proximity: In general, the areas of highest risk are closest to the runway ends</i>” <ul style="list-style-type: none"> ○ As noted above, aircraft now landing or taking off from Palomar touch down at least 1100 feet from the adjacent El Camino Real, a major arterial gridlocked at peak hours. ○ Extending the runway eastward by 800 feet, will reduce this distance to 300 feet or a 2 second distance for a C or D aircraft approaching at about 150 knots. ○ The ALUC has not in the past identified any land use restrictions
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¹⁴ The FAA so-called “Advisory Circulars” (ACs) establish the protocol that airports receiving FAA grant funds must follow. The county has previously received in excess of \$30 million in FAA grant funds.

			<p>that can protect vehicles on roads adjacent to airports.</p> <ul style="list-style-type: none"> • REQUEST: In the Updated MP LUCP (i) identify the increased risks to traffic on ECR from a county 800-foot runway extension and (ii) identify measures by which this risk could be reduced. • At page C-20, the 2010/2011 MP LUCP notes: “Among other hazards to flight, bird strikes represent the most widespread concern. “ The ALUC then references FAA open landfill requirements. However, it appears that the ALUC 2010-2011 LUCP made no effort to evaluate (i) the number of bird strikes affecting aircraft using Palomar or (ii) the amount of birds in the area. In the past, bird strikes presented mainly risks to a few corporate flyers and air carrier passengers. However, county’s new 20-year plan proposes to serve 304,000 to 575,000 air carrier passengers. • In the Updated MP LUCP (i) identify the level of concern that bird strikes may cause at Palomar [Note: The MP website available to pilots notes substantial birds in the spring.]; (ii) identify the extent to which birds displaced by construction of more than 1,000,000 feet of empty land within 3 miles of the airport may be diverted to the MP northeast corner of ECR and PAR; and (iii) restrictions that might reduce the bird population in conformance with applicable laws.
Comments on ALUC 2010/2011 MP LUCP App D, <i>Methods for Determining Concentrations of People</i>			
1	Property Restrictions	Appendix D	<ul style="list-style-type: none"> • By imposing its restrictions, the ALUC has the power to reduce the value of property by more than 50%. Accordingly, the manner of calculating restrictions should be clear. Appendix D does not do that. • Appendix D has several tables providing information but gives no examples of real life situations to explain how the ALUC applies the data. Laypersons owning property in a possibly impacted safety area are left to guess how the ALUC makes its calculations.

			<ul style="list-style-type: none"> • REQUEST: In the Updated MP LUCP, provide at least 10 examples of how the restrictions on commercial and industrial property and on governmental property such as schools is calculated. When providing the calculations, state the assumptions the ALUC is making, the specific data source relied on, and show the calculations. • REQUEST: It appears that relocation of the runway may reduce restrictions on a few properties. Identify these properties [recognizing that reduced restrictions are contingent on the runway actually being relocated] so that the ALUC has inversely condemned property by restrictions no longer applicable. Show the revised safety area borders precisely so that properties benefiting from a runway relocation may be properly identified.
Comments on ALUC 2010/2011 MP LUCP Appendix D entitled <i>General Plan Consistency Checklist</i>			
1	Consistency		<ul style="list-style-type: none"> • Request: As noted above, verify the impacted property that is and is not within the County General Plan, which appears to apply only to unincorporated areas of the county. • Request: If impacted properties are owned by the county but within the city of Carlsbad, verify that the county will comply with the ALUC restrictions since county has said it need not abide by Carlsbad planning and zoning.

Attachment A
Transcript of Supervisor Bill Horn December 15, 2016 Board of Supervisor
Statement Documenting Conversion of Palomar to Airport for Larger Commercial Aircraft in Place of
General Aviation Recreational Aircraft

Board of Supervisors Meeting Dec 16, 2015, 9am

Agenda item #3 - Options for New Master Plan for McClellan-Palomar Airport

http://sdcounty.granicus.com/MediaPlayer.php?view_id=9&clip_id=1709

Spoken by Bill Horn

"I think this is a big huge commercial driver here. And I think we're planning an airport for, if not 50 years maybe 100. Um, so I'm a private pilot, I'm sympathetic to airplane owners but I think the folks that are tied down on the North side of the runway need to move to Fallbrook or someplace else. You have a huge commercial operations going here with a lot of corporate jets coming in and out of there. This is the driver, this is the impetus for us lengthening the runway and doing all these safety issues there. It's no longer a little small airport um, that you can fly in and out of with your Cessna 210 um, so I think that those folks need to be put on notice that they're going to have to move 'cause you're going to have to have that space and you're not going to be able to move them to the fixed space operator space. I mean you're cutting back on their businesses so um, the purpose of this whole thing was to examine the economic feasibility of expanding and increasing activity.

I think the concerns of the public as you have these meetings of course, are going to be noise, but if we expand the runway um, that noise will be a lot less because that footprint will go way down um, and so, and I know your alternatives here, you're basically looking at the 800 ft. I would like you to also, because I'm concerned about if we, I want you to also leave the 900 ft in your study because I don't want to have to come back and sit down and decide if we got the money from the Feds to build 900 ft and then all the sudden, we don't, we haven't studied it so I don't want to have to go through that again. So I realize your preferred and we're going to probably approve going ahead with your preferred and but I just want to make sure we haven't eliminated the 900 ft, and a couple of other issues. I know you guys are nice to the pilots and I appreciate that. I don't want them down here picketing us but at the same time, as a private pilot, I think that maybe you ought to move, we ought to move, some of these planes or make

an opportunity for them to move to either Fallbrook or Borrego or I don't know. I know French Valley is in Riverside County and they would probably like the aircraft also. I just think the days of a the majority of this activity being recreational are over um, and so this is a very, very viable commercial operation so we are planning for the next 50 years, if not 100. So I want us to keep all the options available.

With that being said, we can go to speakers or staff or whatever. I just don't want to narrow this down to a focus groups input 'cause I don't know what their concern is. My concern is the economic viability of this airport and the Northern Region and very obviously, if you look at Lindberg, you know they're pretty much at capacity. I know Greg can talk to us about that but uh, I think we have a great option here and I think we ought to use it. So with that said, having ruined the whole soup mix you go ahead."

County Consultant SCS Engineers Report Entitled
Evaluation of Possible Environmental Impacts of An Aircraft Crash
Into the Landfill Cover at Palomar Airport Landfill

Bender Comment: We provide the title page and relevant SCS report excerpts. The title page follows the excerpts for technical computer insert reasons. We are of course aware that the ALUC focuses on land outside Palomar Airport. We provide the report because it well describes the environmental risks of a large fuel laden aircraft crashing anywhere. Hence, it is relevant to the ALUC's designation of Safety Zones outside the Airport.

Identification of Palomar Aircraft Crash Hazards

- **Spillage of flammable liquids such as Jet fuel:** *“These fuels are highly combustible, burn at extremely high temperatures, can be corrosive to aircraft equipment and are highly toxic to human beings ... Ignition of the jet fuel or other flammable material, upon impact, could also be highly probable.” [p. 3]*
- **Burning of solids.** *“Post-crash fires can result in burning of ... aircraft batteries and electrical equipment, engines, tires, wheels, pathogenic substances, radioactive materials, and metals such as aluminum and fiber-reinforced polymer composites of the aircraft fuselage and wings. ... If the crash occurs during the dry season, grass fire could ignite and spread to other areas of the site and create secondary environmental issues such as smoke (air quality issues), as well as possible offsite wildfires and or burn, smoke and or structural damage to other onsite or offsite property.” P. 3]*
- **Spillage of cryogenic liquid.** *“Cryogenic liquids ... are used as cooling agents to reduce engine temperatures These liquids are ... on the Hazardous Materials Information System. Hence, even low quantities of cryogenic liquids can expand into large volumes of gases If not stored in containers with adequate pressure-relief devices, enormous pressures can build up within the containers. The impact from an aircraft rash can cause a sudden rapid increase in the internal pressure of the container. Results can range from damage to surrounding equipment, structures, explosions, called ‘boiling liquid expanding vapor explosion,’ to asphyxiation hazards.” [p. 4]*
- **Pressurized liquid and/or vapor release.** *“Aircraft utilize a variety [of] hydraulic and pneumatic accumulators, which contain pressurized air or fluids that assist in the operation of equipment [R]upture can] lead to sudden discharge of large amounts of pressurized fluids, resulting in destruction of property, and possibly injury to persons in proximity to the rupture.” [p. 4]*

- **Pipe rupture.** *“Impact from an aircraft crash may result in extensive damage to nearby above/below-grade utility lines. Damage or rupture of a buried water, gas or storm drain line, could contaminate nearby soils and water bodies. Emission release from pipes could severely compromise the air quality and even cause explosions, depending on the contents of the carrier pipes. Impact to piping associated with the GCCS [methane gas collection and control system] may damage the system and cause a release of LFG to the atmosphere. If the LFG concentration is within flammable ranges and an ignition source is present, explosions or fires may occur. ...” [p. 4]*

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SCS ENGINEERS

October 15, 2013
File No. 01213281.00

DRAFT

Mr. Jason Forga, P.E.
County of San Diego
Department of Public Works
5510 Overland Avenue, Suite 210
San Diego, CA 92123

Subject: Evaluation of Possible Environmental Impacts of a Potential Aircraft Crash into the Landfill Cover at Palomar Airport Landfill, Carlsbad, California

Dear Mr. Forga:

The County of San Diego (County) is currently evaluating the possibility of extending the east end of the existing runway at the McClellan-Palomar Airport (Airport). Since the Airport is constructed on a closed landfill site equipped with a below-grade landfill gas (LFG) collection and control system (GCCS), SCS Engineers (SCS) was retained to evaluate the possible environmental impacts of a potential aircraft crash into the landfill cover at the site. Please note that this report attempts to evaluate the worst case "what-if" scenario, and assumes that the impact from an aircraft crash into the landfill cover would result in uncovering buried solid waste materials and damage to the GCCS. Whether or not this scenario is possible, is beyond the scope of this report. Further analysis on whether or not the landfill cover could be penetrated by an aircraft impact, and to what degree, may be the subject of a future study. These services were approved by the County, and Task Order #250 was issued authorizing work on August 30, 2013.

1 BACKGROUND

Palomar Airport, located in Carlsbad, California, is owned and operated by the County (Figure 1: Location Map). The airport is partially located over a closed landfill site, which operated as a Class III municipal solid waste (MSW) disposal facility between 1962 and 1975. Over time, the anaerobic decomposition of the organic waste components buried in the landfill produces a by-product gas known as LFG. LFG primarily consists of about 50 percent methane and 50 percent carbon dioxide. It also includes trace amounts of nitrogen and oxygen, and minute amounts of non-methane organic compounds (NMOCs) and inorganic compounds. Methane, is a principle component of natural gas, and is explosive at concentrations of 5 percent and 15 percent by volume, in air. Hence, to prevent possible hazards associated with the migration of methane beyond the limits of the buried waste footprint, a below-grade GCCS has been installed on the site that collects and disposes the collected LFG in an enclosed flare.

October 1, 2018

Ray & Ellen Bender
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760 752-1716

San Diego Regional Airport Authority
Airport Land Use Commission
SDCRAA Administration Building
3225 No. Harbor Drive
San Diego, California 92101

Members: C. April Boiling, Greg Cox, Jim Desmond, Mark Kersey, Robert T. Lloyd, Paul Robinson, Johanna S. Schiavoni, Michael Schumacher, Mark B. West and Ex-Officio Board Members: Tim Gubbins, Jacqueline Wong-Hernandez, , Col. Jason Woodworth
President/CEO Kimberly J. Becker

SDRAA Legal Counsel: Amy Gonzalez
VIA: Attn: Tony Russell [trussell@san.org])

Re: ALUC Processing of Update to 2010/2011 McClellan-Palomar Airport Land Use Compatibility Plan As a Result of County 2018 – 2038 Palomar Master Plan; October 4, 2018 ALUC Meeting Agenda Item 4 re: McClellan-Palomar

Ladies & Gentlemen:

We have several comments on the October 4, 2018 ALUC Meeting Staff Report, Agenda Item 4, related to updating the ALUC McClellan-Palomar Land Use Compatibility Plan.

1. The Staff Report on Page 1 Referencing “Figure 1” as the County’s B-II Enhanced Alternative is Accurate If and Only If the County PMP Does Not Adopt the B-II Enhanced Alternative Options That County Noted in its September 20, 2018 Presentation to the Palomar Airport Advisory Committee.

We assume staff refers to Figure 4-1a entitled “B-II Enhanced Alternative.” County needs to fish or cut bait.

Figure 4-1a shows county maintaining the runway/taxiway centerline separation at 300 feet. Yet county’s September 20, 2018 presentation to the Palomar Airport Advisory Committee (PAAC), proposed a B-II Enhanced Alternative with Options for runway relocation and 400-foot taxiway/runway centerline separation.

We recognize that ALUC staff will study what county actually does at its October 10, 2018 Board of Supervisor meeting. We simply point out that if the BOS approved a B-II

Enhanced Alternative with the PAAC-described Options, then an ALUC 2018/2019 MP LUCP Update would waste public monies if it studied only the Figure 4-1a scenario.

2. Consistency Between County PMP 8 Evaluation Criteria and Scope of ALUC Review.

County's 2018 PMP and PEIR has said for 9 months that county will select an alternative considering 8 evaluation criteria. One criterion is the impact of the proposed PMP on areas surrounding Palomar.

County cannot determine the noise and safety impacts of selecting a B-II Enhanced runway that is extended 900 feet [or impact of any other alternative] until the ALUC completes its work to show how properties near Palomar will be restricted as a result of the PMP planned expansion. .

For the above reason, it is clear that an October 10, 2018 county approval of a PMP alternative would not comply with county's own evaluation criteria. Note, moreover, that even if the ALUC restricts certain properties related to the county PMP-selected alternative, the county has no way of knowing whether the ALUC-designated impacts are greater or less than the impacts for other PMP alternatives, which the ALUC is not analyzing.

3. CEQA and COASTAL ACT.

We request a clarification. The clarification is relevant to what direction the ALUC gives the staff at the October 4, 2018 meeting. There are actually two CEQA questions relevant to the ALUC's proposed October 4, 2018 action: (i) Is undertaking a Palomar LUCP Update a CEQA project requiring preparation of a CEQA Initial Study and (ii) is the ALUC adoption of an updated Palomar LUCP a CEQA project requiring preparation of an Initial Study?

ALUC staff should know after ALUC action on October 4, 2018 whether it is tasked only with undertaking the Palomar LUCP Update or also tasked with CEQA review of the update. Otherwise, the ALUC will encounter substantial delays and possibly waste money when it comes time for the ALUC to adopt the Palomar LUCP.

State law seems to require a CEQA study when the ALUC adopts the Palomar LUCP Update. See *Muzzy Ranch v. Solano County*, 60 Cal. Rptr. 3d 247 (2007) and pages 3-54 to 3-58 of the CalTrans Division of Aeronautics California Land Use Planning Handbook. State law requires ALUCs in the state to be guided by the CalTrans Handbook.

In addition see the multiple CEQA studies performed by ALUCs in Butte County, Lassen County, Colusa County, and others. Simply search ALUC and CEQA in your computer browser. Especially relevant Handbook language is the following:

*Common Sense Exemption—While not listed as either a statutory or categorical exemption, there exists in CEQA the “general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment” (CEQA Guidelines Section 15061(b)(3)). Therefore, “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” (Ibid.) This is sometimes called the “common sense exemption” and should be considered during the first step of the CEQA. As discussed in the Muzzy Ranch decision, the ALUC should carefully examine how a proposed plan or plan amendment may change the current policies and standards for future development. **These parameters may include: exclusion of certain uses, limitations on residential densities and nonresidential occupancy levels, site design and open space requirements, and building height and other building design requirements. Where the ALUCP would maintain existing development controls, the adoption of that plan may fall within this exemption. However, ALUCs should exercise caution in using this exemption. When there are questions as to the potential for either direct or indirect impacts on the environment, a more conservative approach would be the preparation of an Initial Study. [Emphasis added.]***

The ALUC knows based on its past history of adopting LUCPs that the LUCPs restrict development and use of multiple properties surrounding Palomar Airport, which necessarily drives the development into other parts of the city.

As to the Coastal Act, the ALUC staff-referenced section 30106 expressly provides that the Coastal Act covers changes in the density or intensity of land use. The whole purpose of an ALUC LUCP is to restrict land uses adjacent to the airport so they neither interfere with airport operations nor create an undue risk to aircraft occupants and persons on the ground impacted by an aircraft crash.

REQUEST: Please clarify at the October 4, 2018 hearing whether ALUC is being directed to also undertake a CEQA Initial Study to present to the ALUC when the Palomar LUCP Update is presented to the ALUC.

4. Actual Notice to Affected Property Owners.

As the ALUC is aware, imposing safety and noise restrictions on the properties impacted by airport operations can cost property owners tens of millions of dollars in construction and operating costs. Please discuss and explain at the October 4, 2018 meeting whether the ALUC will provide property owners impacted by ALUC noise and safety zones when the ALUC adopts the Palomar Land Use Compatibility Plan Update.

Thank you for addressing the matters above.

/s/

Ray and Ellen Bender