

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Board Members

C. April Boling
Chairman

Catherine Blakespear
Greg Cox
Mark Kersey
Robert T. Lloyd
Paul McNamara
Paul Robinson
Johanna S. Schiavoni
Mark B. West

AIRPORT LAND USE COMMISSION AGENDA

Thursday, October 1, 2020
9:00 AM

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

Ex-Officio Board Members

Gustavo Dallarda
Col. Charles B. Dockery
Gayle Miller

President / CEO

Kimberly J. Becker

This meeting of the Board of the San Diego County Regional Airport Authority Board will be conducted pursuant to the provisions of California Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act. During the current State of Emergency and in the interest of public health, all Board members will be participating in the meeting electronically. In accordance with the Executive Order, there will be no members of the public in attendance at the Board Meeting. We are providing alternatives to in-person attendance for viewing and participating in the meeting. In lieu of in-person attendance, members of the public may submit their comments in the following manner.

Comment on Non-Agenda Items

Public comments on non-agenda items must be submitted to the Authority Clerk at clerk@san.org, no later than 4:00 p.m. the day prior to the posted meeting in order to be eligible to be read into the record. The Authority Clerk will read the first 30 comments received by 4:00 p.m. the day prior to the meeting into the record. The maximum number of comments to be read into the record on a single issue will be 16. All other comments submitted, including those received after 4:00 p.m. the day prior and before 8:00 a.m. the day of the meeting, will be provided to the Authority Board and submitted into the written record for the meeting.

Public comments on agenda items received no later than 8:00 a.m. on the day of the meeting will be distributed to the Board and included in the record.

Comment on Agenda Items

If you'd like to speak to the Board live during the meeting, please follow these steps to request to speak:

- **Step 1:** Fill out the online [Request to Speak Form](#) to speak during the meeting via teleconference. The form must be submitted by 4 p.m. the day before the meeting or by 4:00 p.m. the Friday before a Monday meeting. After completing the form, you'll get instructions on how to call in to the meeting.
- **Step 2:** Watch the meeting via the Webcast located at the following link, <https://www.san.org/Airport-Authority/Meetings-Agendas/ALUC?EntryId=13373>

- **Step 3:** When the Board begins to discuss the agenda item you want to comment on, call in to the conference line, you will be placed in a waiting area. ***Please do not call until the item you want to comment on is being discussed.***
- **Step 4:** When it is time for public comments on the item you want to comment on, Authority Clerk staff will invite you into the meeting and unmute your phone. Staff will then ask you to state your name and begin your comments.

You may also view the meeting online at the following link: <https://www.san.org/Airport-Authority/Meetings-Agendas/ALUC?EntryId=13373>

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Authority Clerk at (619) 400-2550 or <mailto:clerk@san.org>. The Authority is committed to resolving accessibility requests swiftly in order to maximize accessibility.

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 Board 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 Board Services 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 Board 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.

CALL TO ORDER:

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 (Items 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:

RECOMMENDATION: Approve the minutes of the September 3, 2020 regular meeting.

CONSISTENCY DETERMINATIONS

- 2. REPORT OF DETERMINATIONS OF CONSISTENCY WITH AIRPORT LAND USE COMPATIBILITY PLANS: SAN DIEGO INTERNATIONAL AIRPORT 3250 BARNETT AVENUE, CITY OF SAN DIEGO, 4781-4787 CEREZA STREET, CITY OF SAN DIEGO, 4614 CAPE MAY AVENUE, CITY OF SAN DIEGO, 192 66TH STREET, CITY OF SAN DIEGO, 1801 5TH AVENUE, CITY OF SAN DIEGO AND 4103 VOLTAIRE STREET, CITY OF SAN DIEGO; GILLESPIE FIELD 8708 COTTONWOOD AVENUE, CITY OF SANTEE; BROWN FIELD MUNICIPAL AIRPORT EAST OTAY MESA BUSINESS PARK SPECIFIC PLAN AMENDMENT, COUNTY OF SAN DIEGO; SAN DIEGO INTERNATIONAL AIRPORT, MARINE CORPS AIR STATION MIRAMAR, MONTGOMERY-GIBBS EXECUTIVE AIRPORT, BROWN FIELD MUNICIPAL AIRPORT, AND GILLESPIE FIELD LAND DEVELOPMENT CODE AMENDMENTS FOR MOVABLE TINY HOMES, CITY OF SAN DIEGO:**

RECOMMENDATION: Receive the report.

(Planning & Environmental Affairs: Ralph Redman)

PUBLIC HEARINGS:

3. **CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLAN:**
RECOMMENDATION: Adopt Resolution No. 2020-0001 ALUC, certifying the Final Environmental Impact Report for the Naval Air Station North Island Airport Land Use Compatibility Plan and adopting California Environmental Quality Act Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.

4. **ADOPTION OF THE NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLAN:**
RECOMMENDATION: Adopt Resolution No. 2020-0002 ALUC, adopting the Airport Land Use Compatibility Plan for Naval Air Station North Island.
(Planning & Environmental Affairs: Ralph Redman)

OLD BUSINESS:

NEW BUSINESS:

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 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.
- 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.
- 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 SDCRAA Building by using public transit via the San Diego MTS System, Route 992. For route and fare information, please call the San Diego MTS at (619) 233-3004 or 511.

**AIRPORT LAND USE COMMISSION
MINUTES
THURSDAY, SEPTEMBER 3, 2020
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM**

CALL TO ORDER: Chairman Boling called the meeting of the Airport Land Use Commission to order at 9:05 a.m. on Thursday, September 3, 2020, electronically and via teleconference pursuant to Executive Order N-29-20 at the San Diego International Airport, Administration Building, 3225 North Harbor Drive, San Diego, CA 92101.

ROLL CALL:

PRESENT: Commissioners: Blakespear, Boling, Dallarda (Ex-Officio), Cox, Dockery (Ex-Officio), Kersey, Lloyd, McNamara, Robinson, Schiavoni, West

ABSENT: Commissioners: Miller (Ex-Officio)

ALSO PRESENT: Kimberly J. Becker, President/CEO; Amy Gonzalez, General Counsel; Tony R. Russell, Director, Board Services/Authority Clerk; Dustin Heick, Assistant Authority Clerk I

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA (Items 1-2):

ACTION: Moved by Commissioner Cox and seconded by Commissioner West to approve the Consent Agenda. Motion carried by the following votes: YES –Blakespear, Cox, Boling, Kersey, Lloyd, McNamara, Robinson, Schiavoni, West; NO – None; ABSENT – None; (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the July 9, 2020 regular meeting.

CONSISTENCY DETERMINATIONS

2. REPORT OF DETERMINATIONS OF CONSISTENCY WITH AIRPORT LAND USE COMPATIBILITY PLANS: SAN DIEGO INTERNATIONAL AIRPORT 2183 BACON STREET, CITY OF SAN DIEGO, 2816 BAYSIDE WALK, CITY OF SAN DIEGO, 2001 4TH AVENUE, CITY OF SAN DIEGO AND 2455 CUSHING ROAD, CITY OF SAN DIEGO; MARINE CORPS AIR STATION MIRAMAR 9255 CAMINO SANTA FE, CITY OF SAN DIEGO:

RECOMMENDATION: Receive the report.

PUBLIC HEARINGS:

Kim Becker, President CEO, reported that on September 2, 2020 the Authority received a request from the City of Coronado to continue the Certification of the Final Environmental Impact Report for the Naval Air Station North Island and adoption of the Land Use Compatibility Plan for sixty days to allow more time to review the documents. She stated that in consideration of the request by the City of Coronado, staff is requesting a thirty-day continuance of this item.

- 3. CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLAN:**
RECOMMENDATION: Adopt Resolution No. 2020-0001 ALUC, certifying the Final Environmental Impact Report for the Naval Air Station North Island Airport Land Use Compatibility Plan and adopting a California Environmental Quality Act (CEQA) Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.

JOHN DEPREE, COMMANDING OFFICER, representing Naval Base Coronado, spoke in support of staff's recommendation to adopt the Airport Land Use Compatibility Plan for the Naval Air Station North Island and to certify the Final Environmental Impact Report.

MARVIN HEINZE, COUNCIL MEMBER, representing the City of Coronado, requested a continuance of items 3 and 4.

BLAIR KING, CITY MANAGER, representing the City of Coronado, requested a continuance of items 3 and 4.

MIKE DONOVAN, COUNCIL MEMBER, representing the City of Coronado, requested a continuance of items 3 and 4.

ACTION: Moved by Commissioner West and seconded by Commissioner Schiavoni to accept staff's recommendation for a continuance of Items 3 and 4 to the October 1, 2020 ALUC Meeting. Motion carried by the following votes: YES –Blakespear, Cox, Boling, Kersey, Lloyd, McNamara, Robinson, Schiavoni, West; NO – None; ABSENT – None; (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

OLD BUSINESS: None.

NEW BUSINESS: None.

- 4. ADOPTION OF THE NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLAN:**
RECOMMENDATION: Adopt Resolution No. 2020-0002 ALUC, adopting the Airport Land Use Compatibility Plan for Naval Air Station North Island.

COMMISSION COMMENT: None.

ADJOURNMENT: The meeting adjourned at 9:27 a.m.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS 1ST DAY OF OCTOBER, 2020.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Airport Land Use Commission
Report of Determinations of Consistency with Airport Land
Use Compatibility Plans

Item No.
2

Meeting Date: **October 1, 2020**

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 405 Attached Residential Units at 3250 Barnett Avenue, San Diego

Deemed Complete & Conditionally Consistent on August 26, 2020

Description of Project: The project involves the construction of 405 attached residential units in two separate buildings, each with an internal, subterranean and multi-level parking structure, on a property of 16 acres within an existing, former post office building to be replaced under a separate project.

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

Airspace Protection Surfaces: The maximum height of the proposed project structure will be 42 feet above mean sea level (30 feet above ground level). The proposed project is located outside the SDIA Threshold Siting Surface (TSS). The proposed project is in compliance with the ALUCP airspace protection surfaces because a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA).

Safety Zones: The proposed project 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 4 Attached Residential Units at 4781-4787 Cereza Street, City of San Diego

Deemed Complete & Conditionally Consistent on August 31, 2020

Description of Project: The project involves the construction of 4 attached residential units within two buildings on a property of 0.23 acres.

Noise Contours: The proposed project lies within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour. The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the building is sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the building must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The maximum height of the proposed project structures will be 140 feet above mean sea level (28.5 feet above ground level). The proposed project is located outside the SDIA Threshold Siting Surface (TSS). The proposed project 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 proposed project 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 must be provided.

Construction of Two Detached Residential Units at 4614 Cape May Avenue, City of San Diego

Deemed Complete & Conditionally Consistent on August 31, 2020

Description of Project: The project involves the construction of two detached residential units on a property of 5,980 square feet.

Noise Contours: The proposed project lies within the 65-70 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour. The ALUCP identifies residential uses located within the 65-70 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residence is sound

attenuated to 45 dB CNEL interior noise level. The ALUCP requires that an avigation easement for aircraft noise and height be recorded with the County Recorder. Therefore, as a condition of project approval, the residence must be sound attenuated to 45 dB CNEL interior noise level and an avigation easement for aircraft noise and height be recorded with the County Recorder.

Airspace Protection Surfaces: The maximum height of the proposed project structures will be approximately 105 feet above mean sea level (25 feet above ground level). The proposed project is located outside the SDIA Threshold Siting Surface (TSS). The proposed project 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 proposed project 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 avigation easement is required, the overflight notification requirement is satisfied.

Residential Major Subdivision at 192 66th Street, City of San Diego

Deemed Complete & Conditionally Consistent on August 31, 2020

Description of Project: The project involves a major subdivision of a property of 1.06 acres into five residential lots. There is no actual development proposed by the project.

Noise Contours: The proposed project lies within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour. 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, future residences constructed on the properties must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The proposed project is located outside the SDIA Threshold Siting Surface (TSS). The proposed project does not involve any actual development. Future construction on each of the newly created lots must be in compliance with the ALUCP airspace protection surfaces by obtaining a determination of no hazard to air navigation issued by the Federal Aviation Administration (FAA) or the project sponsor certifying 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 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 must be provided to each of the future residences constructed on the newly created lots.

Construction of 28 Attached Residential Units with Retail Sales and 3 Eating and Drinking Establishment Uses at 1801 5th Avenue, City of San Diego

Deemed Complete & Conditionally Consistent on September 3, 2020

Description of Project: The project involves the construction of 28 attached residential units (8 of which are live/work units) with three commercial uses: 2,044 square feet of retail sales and 689 square feet of supplemental eating and drinking establishment; 1,605 square feet of eating and drinking establishment with 345 square feet of outdoor seating; and 1,103 square feet of eating and drinking establishment with 392 square feet of outdoor seating on a project site of 18,626 square feet.

Noise Contours: The project lies within the 70-75 and 65-70 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contours, with greater than 50 percent of the proposed building in the 65-70 dB CNEL noise contour, and thus the standards of the 65-70 dB CNEL noise contour apply to the project.

Within the 65-70 dB CNEL noise contour the ALUCP identifies retail sales and eating and drinking establishment uses as compatible and residential uses 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 for aircraft noise and height is recorded with the County Recorder.

Therefore, as conditions of project approval, the residences, including the habitable portions of the live/work units, must be sound attenuated to 45 dB CNEL interior noise level and an aviation easement for aircraft noise and height must be recorded with the County Recorder.

Airspace Protection Surfaces: The maximum building height of the proposed project is approximately 215 feet above mean sea level (MSL) or 55 feet above

ground level (AGL), and the maximum height of the project proposed construction crane is approximately 258 feet MSL or 95 feet AGL.

The proposed project is located within the SDIA Threshold Siting Surface (TSS). The maximum TSS height for a project on this site is approximately 339 feet MSL, and the maximum heights of the building and construction crane do not exceed the TSS maximum height.

The proposed project would be compatible with the ALUCP airspace protection surfaces, provided that both the building and construction crane are marked and lighted in accordance with the determinations of no hazard to air navigation issued by the Federal Aviation Administration (FAA) for each of the four corners of the building and for the construction crane. The ALUCP requires that an aviation easement for airspace be recorded with the County Recorder; however, in instances when an aviation easement is required for noise and height, the airspace aviation easement requirement is satisfied. Therefore, as a condition of project approval, both the building and the construction crane of the project shall be marked and lighted in accordance with FAA procedures.

Safety Zones: The project proposes a mixture of residential and nonresidential uses and is located within Safety Zones 2 East (SZ 2E) and 3 Southeast (SZ 3SE) – Uptown. The ALUCP allows for proportionate shares of a project site located within two or more safety zones to be individually calculated and then summed together to establish the maximum compatible density and intensity standards applicable to the project. The ALUCP provides that for a project with a mixture of residential and nonresidential uses, a maximum of half of the people per acre may be in residential units, calculated at persons per household as specified in the ALUCP.

The maximum compatible intensity of SZ 2E – Uptown is 272 people per acre, and the portion of the project site located within SZ 2E is 0.4 acres, which equates to maximum of 109 people. The maximum compatible intensity of SZ 3SE – Uptown is 674 people per acre, and the portion of the project site located within SZ 3SE is 0.03 acres, which equates to maximum of 18 people. The sum of 109 and 18 people yields a total maximum compatible project intensity of 127 people.

Greater than 50 percent of the project site is located within SZ 2E, so the persons per household figure for SZ 2E of 1.51 applies to the residential component of the project. The project proposes 28 residential units, which, at 1.51 persons per household, equates to 42 people for the residential component of the project.

The nonresidential component of the project is limited to the remainder yield, with the 42 residential occupants deducted from the maximum compatible project

intensity of 127 people, which is 85 people, to be distributed among the nonresidential uses. The 8 live/work units contain a total of 1,000 square feet of nonresidential area, which, at the office rate of 215 square feet per occupant, equates to 5 people. The retail sales use of 2,044 square feet equates, at the rate of 170 square feet per occupant to 12 people. The combined area of the two wholly eating and drinking establishment uses (including outdoor seating) is 3,445 square feet, which equates, at the rate of 60 square feet per occupant to 57 people. The 689 square feet of eating and drinking establishment supplemental to the retail sales area equates, at the rate of 60 square feet per occupant to 11 people. The sum of all nonresidential occupants of 5, 12, 57, and 11 is 85 people, which is the remainder of the maximum compatible intensity.

Therefore, the proposed project complies with the ALUCP maximum compatible standards of the safety zones and for the mixture of uses which comprise the project.

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 17 Attached Residential Units with Retail Sales and Eating and Drinking Establishment Uses at 4103 Voltaire Street, City of Santee

Deemed Complete & Conditionally Consistent on September 8, 2020

Description of Project: The project involves the construction of 17 attached residential units within two buildings, building "A" with 9 attached residential units and building "B" with 8 attached residential units and two commercial uses: 1,381 square feet of retail sales and 1,200 square feet of eating and drinking establishment on a project site of 25,545 square feet.

Noise Contours: The proposed project lies within the 65-70 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour. The ALUCP identifies commercial uses located within the 65-70 dB CNEL noise contour as compatible with airport uses, and 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. The ALUCP requires that an aviation easement for aircraft noise and height be 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 for aircraft noise and height be recorded with the County Recorder.

Airspace Protection Surfaces: The proposed project is located within the Threshold Siting Surface (TSS). The maximum height of the proposed project structures will be approximately 30 feet above ground level, or approximately 113 feet above mean seal level. The heights of the project buildings are below the maximum compatible TSS height for a project on this site. The proposed project is in compliance with the ALUCP airspace protection surfaces because a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA).

Safety Zones: The project proposes a mixture of residential and nonresidential uses and is partially located within Safety Zone (SZ) 4W – Peninsula. The ALUCP provides that for a project with a mixture of residential and nonresidential uses, a maximum of half of the people per acre intensity may be allotted to residential units, calculated at persons per household as specified in the ALUCP.

The southern building, building “A”, of the proposed project is located primarily outside the SZ 4W – Peninsula, and the northern building, building “B”, is located primarily within SZ 4W – Peninsula. The ALUCP specifies that the density and intensity limits of the safety zone in which greater than 50 percent of the building is located shall apply; therefore, building “A” is not subject to any density or intensity limits and building “B” is subject to the respective density and intensity limits of SZ 4W – Peninsula. The maximum compatible intensity of SZ 4W – Peninsula is 240 people per acre, and the portion of the project site located within SZ 4W is 0.29 acres, which equates to a maximum compatible threshold of 70 people.

The project site is located within SZ 4W, so the persons per household figure for SZ 4W of 2.14 applies to the residential component of the project. The project proposes 8 residential units, which, at 2.14 persons per household, equates to 18 people for the residential component of the project.

The nonresidential component of the project is limited to the remainder yield of the 70 people total, which is 52 people, to be distributed among the nonresidential uses. The retail sales use of 1,381 square feet equates, at the rate of 170 square feet per occupant, to 8 people. The eating and drinking establishment use is 1,200 square feet, which equates, at the rate of 60 square feet per occupant, to 20 people. The sum of the nonresidential occupants of 8 and 20 is 28 people, which is below the maximum number of non-residential people of 52.

Therefore, the proposed project complies with the ALUCP maximum compatible standards of the safety zones and for the mixture of uses which comprise the project.

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 avigation easement is required, the overflight notification requirement is satisfied.

Gillespie Field ALUCP

Construction of 5 Self-Storage Buildings with Attached Caretaker Residential Unit at 8708 Cottonwood Avenue, City of Santee

Deemed Complete & Conditionally Consistent on August 19, 2020

Description of Project: The project involves the construction of five self-storage buildings of 148,458 total square feet in two phases with attached caretaker residential unit and interim, outdoor recreational vehicle and boat storage between the two phases on a property of 3 acres.

Noise Contours: The proposed project storage building lies partially within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour, but the caretaker residential unit is located outside the noise exposure contour. The ALUCP identifies mini/other indoor and outdoor storage uses located within the 60-65 dB CNEL noise contour as compatible with airport uses.

Airspace Protection Surfaces: The maximum height of the proposed project structures will be 396 feet above mean sea level (40 feet above ground level). The proposed project is in compliance with the ALUCP airspace protection surfaces because a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA).

Safety Zones: The proposed project storage buildings are located within Safety Zones 2 and 3, and the caretaker residential unit is located within Safety Zone 2. The ALUCP identifies indoor and outdoor storage uses located within Safety Zones 2 and 3 as compatible with airport uses, and residential uses as incompatible within Safety Zone 2. However, notwithstanding any other ALUCP limitations, a single residential unit is considered compatible if it is located on a legal lot of record and the residential use is permitted by local land use regulations. Both of these criterion are satisfied, and, therefore, the caretaker residential unit located within Safety Zone 2 is compatible with airport uses.

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 the residential unit.

Brown Field Municipal Airport ALUCP**Amendment of East Otay Mesa Business Park Specific Plan, County of San Diego**

Deemed Complete & Conditionally Consistent on August 20, 2020

Description of Project: The project proposes amendments to change permitted uses, lot coverage, and height limitations within the Technology Business Park and Light Industrial land use designations of the East Otay Mesa Business Park Specific Plan. No reclassification of land use designations or zones is proposed. The project does not include any physical development.

Noise Contours: The proposed project contains properties that lie within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour. The ALUCP identifies horse stables; agriculture; outdoor spectator sports; fairgrounds; mortuaries; offices; retail sales; industrial; auto, marine, other sales & repair services; trucking; outdoor storage; and automobile parking uses located within the 60-65 dB CNEL noise contour as compatible with airport uses.

The ALUCP identifies animal shelters/kennels uses located within the 60-65 dB CNEL noise contour as conditionally 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, future construction on the associated properties with these uses within the 60-65 dB CNEL noise contour must be sound attenuated to 50 dB CNEL interior noise level.

Airspace Protection Surfaces: The proposed project proposes to revise the maximum building height limitation for the Light Industrial designation and retain the existing 150-foot height limitation for the Technology Business Park. No physical development is proposed, but the proposed project would be in compliance with the ALUCP airspace protection surfaces if future construction does not exceed an airspace threshold which would require an obstruction evaluation from the Federal Aviation Administration (FAA), or, if required, a determination of no hazard to air navigation has been issued by the FAA and, if required, any structures provide marking and lighting in accordance with a determination issued by the FAA. Therefore, as a condition of project approval, future construction on associated properties which exceeds airspace obstruction thresholds must obtain a determination of no hazard to air navigation issued by the FAA, and any structures so required by an FAA determination shall be marked and lighted in accordance with FAA procedures.

Safety Zones: The proposed project contains properties located within Safety Zones 2, 4, and 6. The proposed project includes an increase in lot coverage within the Technology Business Park from 40% to 50%. Properties of the

Technology Business Park are located within each safety zone, and Safety Zone 2 provides for a 50% maximum lot coverage, Safety Zone 4 provides for a 70% maximum lot coverage, and Safety Zone 6 provides for a 100% maximum lot coverage. Therefore, the proposed increase in lot coverage is compatible with the ALUCP.

No physical development is proposed, but future construction on the associated properties would be subject to people per acre intensity and floor area ratio (FAR) limitations of the respective safety zones as a condition of project approval.

The ALUCP identifies agricultural lands; agricultural buildings; automobile parking structures; automobile parking surface lots; truck terminals; truck storage; industrial outdoor storage; auto, aircraft, marine repair services; and warehouse and storage uses located within Safety Zones 2, 4, and 6 as compatible with airport uses.

The ALUCP identifies indoor large assembly room uses located within Safety Zone 2 as incompatible with airport uses; within Safety Zone 4 as conditionally compatible with airport uses, provided that the project complies with an FAR of 0.04, or 0.09 with risk reduction measures incorporated into project design; and within Safety Zone 6 as compatible with airport uses.

The ALUCP identifies outdoor large assembly room uses located within Safety Zone 2 as incompatible with airport uses; within Safety Zone 4 as conditionally compatible with airport uses, provided that the project complies with a fixed seating limitation of no greater than 300 people; and within Safety Zone 6 as compatible with airport uses.

The ALUCP identifies retail store uses within stand-alone buildings located within Safety Zone 2 as conditionally compatible with airport uses, provided that the project complies with a maximum intensity of 70 people per acre and a maximum FAR of 0.27; within Safety Zone 4 as conditionally compatible with airport uses, provided that the project complies with a maximum FAR of 0.51, or 1.01 with risk reduction measures; and within Safety Zone 6 as compatible with airport uses.

The ALUCP identifies low-Intensity or outdoor-oriented retail or wholesale trade uses located within Safety Zone 2 as conditionally compatible with airport uses, provided that the project complies with a maximum FAR of 0.40, or 0.60 with risk reduction measures; within Safety Zone 4 as conditionally compatible with airport uses, provided that the project complies with a maximum FAR of 0.75, or 1.49 with risk reduction measures; and within Safety Zone 6 as compatible with airport uses.

The ALUCP identifies office buildings uses located within Safety Zone 2 as conditionally compatible with airport uses, provided that the project complies with

a maximum FAR of 0.35, or 0.52 with risk reduction measures; within Safety Zone 4 as conditionally compatible with airport uses, provided that the project complies with a maximum FAR of 0.64, or 1.28 with risk reduction measures; and within Safety Zone 6 as compatible with airport uses.

The ALUCP identifies service uses located within Safety Zone 2 as conditionally compatible with airport uses, provided that the project complies with a maximum FAR of 0.32, or 0.48 with risk reduction measures; within Safety Zone 4 as compatible with airport uses; and within Safety Zone 6 as compatible with airport uses.

Therefore, as a condition of project approval, future construction on associated properties must abide by the respective intensity and FAR limits applicable within Safety Zones 2, 4, and 6 for the corresponding land use proposed.

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.

Brown Field Municipal Airport, Gillespie Field, Marine Corps Air Station Miramar, Montgomery-Gibbs Executive Airport, and San Diego International Airport ALUCPs

Amendments to the Land Development Code for Movable Tiny Homes, City of San Diego

Deemed Complete & Consistent on September 4, 2020

Description of Project: The project proposes amendments to the City of San Diego Land Development Code to allow for movable tiny homes as accessory dwelling units. None of the amendments has a direct bearing upon airport related matters and do not include any physical improvements.

Noise Contours: The proposed project does not involve any actual development and thus does not impact any noise exposure contours of any airport.

Airspace Protection Surfaces: The proposed project does not involve any actual development and thus does not impact any airspace protection surfaces of any airport.

Safety Zones: The proposed project does not involve any actual development and thus does not impact any safety zones of any airport.

Overflight Notification: The proposed project does not involve any actual development and thus does not impact any overflight notification requirements of any airport.

STAFF REPORT

Meeting Date: **OCTOBER 1, 2020**

Subject:

Certification of an Environmental Impact Report for the Naval Air Station North Island Airport Land Use Compatibility Plan and Adoption of the Naval Air Station North Island Airport Land Use Compatibility Plan

Recommendation:

Adopt Resolution 2020-0001 ALUC, certifying the final Environmental Impact Report for the Naval Air Station North Island Airport Land Use Compatibility Plan and adopting California Environmental Quality Act Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program; and

Adopt Resolution 2020-0002 ALUC, adopting the Airport Land Use Compatibility Plan for Naval Air Station North Island

Background/Justification:

Acting in its capacity as the ALUC, the Airport Authority is required to prepare and adopt an ALUCP for each public use and military airport within San Diego County, which includes Naval Air Station North Island (NASNI) (Pub. Util. Code §21674(c)).

The purpose of an ALUCP is to protect airport operations, including aircraft in flight, from encroachment by incompatible land uses with concurrent land use policies to minimize public exposure to excessive noise and safety hazards within areas around airports located in the county, “to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses” (Pub. Util. Code §21674).

In preparing an ALUCP, the ALUC must be guided by the California Department of Transportation, Division of Aeronautics (Caltrans) *Airport Land Use Planning Handbook (Handbook)* (Pub. Util. Code, §21674.7(a)). Moreover, an ALUCP for military airports must also be consistent with the safety and noise compatibility standards in the *Air Installation Compatible Use Zone (AICUZ)* study for that airport (Pub. Util. Code §21675(b)). While the AICUZ includes noise and safety compatibility standards, the *Handbook* provides guidance to the ALUC for the protection of federally regulated airspace and notification to new residential property owners about the effects of aircraft overflight.

An ALUCP is usually based on forecasted operations in an Airport Master Plan (AMP) or an Airport Layout Plan (ALP) with concurrence by Caltrans (Pub. Util. Code §21675(a)). As a military installation, NASNI has no AMP or ALP; therefore, the proposed ALUCP has been prepared based upon the airfield diagram and operations as described in the 2011 AICUZ prepared by the U.S. Department of the Navy. The ALUC has received written concurrence from Caltrans that the ALUC is required to prepare an ALUCP for NASNI.

With concurrence from the Department of the Navy and Caltrans, staff has prepared the proposed ALUCP consistent with the Navy's 2011 AICUZ, the requirements of the State Aeronautics Act, and guidance from the *Handbook*. Detailed ALUCP compatibility policies and standards relative to future land uses specifically address noise contours, safety zones, airspace protection surfaces, and overflight notification areas. Appendices in the proposed ALUCP include supplemental, technical data regarding the current and proposed features of the airport, the existing environs, and the data and assumptions upon which the compatibility policies, standards, and affected area maps of the ALUCP are based.

The AICUZ for NASNI considers most land uses, including residential, commercial, and lodging facilities, located within its noise contours and safety zones to be incompatible with its operations. However, the AICUZ does acknowledge that the City of Coronado is "nearly completely developed" (AICUZ, p.6-8). Recognizing that redevelopment and infill are the most likely future development scenarios, the AICUZ states that local governments should "not take actions that would make an existing land use compatibility (or incompatibility) situation worse" (AICUZ, p. 7-3). This principle is the foundation of the proposed ALUCP compatibility policies.

Public Input/Outreach

California Public Utilities Code section 21675(c) requires the ALUC to engage in a public collaborative planning process to prepare an ALUCP. Consistent with these requirements, staff formed a Working Group, conducted community meetings, and consulted with and sought comments from the affected local agencies over a three-year period regarding the compatibility factors that establish the Airport Influence Area (AIA) and the corresponding policies and standards of the proposed ALUCP to facilitate implementation of the plan.

Staff has prepared the proposed ALUCP consistent with ALUC policy direction provided in November 2017 and input from numerous meetings of the Working Group. ALUC staff has solicited and received extensive input from public and private stakeholders on the development of ALUCP compatibility policies and criteria specific to NASNI. (Pub. Util. Code §§21670.3; 21675(b)]. The proposed ALUCP is complete unto itself and is separate and independent from the ALUCPs prepared by the ALUC for the other airports located in San Diego County.

While 86% of the non-military incorporated land area comprising the City of Coronado is located outside of the AICUZ 65+ decibel Community Noise Equivalent Level (dB CNEL) noise contours and safety zones and the noise and safety zones in the ALUCP (which are identical to the AICUZ noise and safety zones), properties within the noise contours and safety zones are subject to ALUCP compatibility policies and standards (see inset on Figure 1). The Coronado City Council requested in November 2015 that the following constituencies be represented on the Working Group to draft ALUCP policies, which ALUC staff thereafter convened:

- | | |
|---|--|
| 1. Clear Zone (CZ) Property Owner | 6. Coronado Community Development Department |
| 2. Accident Potential Zone (APZ) I Residential Property Owner | 7. Coronado City Manager's Office |
| 3. APZ I Commercial Property Owner | 8. Coronado City Councilmember |
| 4. APZ II Property Owner | 9. Coronado Real Estate Association |
| 5. Hotel del Coronado | 10. Coronado Main Street |

- | | |
|---|--|
| <ul style="list-style-type: none"> 11. Coronado Chamber of Commerce 12. Coronado Tourism Improvement District (CTID) 13. Coronado Port Commissioner 14. Coronado School District Board 15. Coronado Historical Association | <ul style="list-style-type: none"> 16. American Institute of Architects San Diego Chapter 17. San Diego County Regional Airport Authority Board Member/ALUC Commissioner |
|---|--|

Local agencies whose land use jurisdiction would be affected by the NASNI ALUCP were also invited to participate in the Working Group meetings and most regularly attended, including the cities of Coronado, Chula Vista, Imperial Beach, National City, and San Diego; the County of San Diego; and the San Diego Unified Port District.

Prior to each Working Group meeting, ALUC staff met with City of Coronado staff to review and receive feedback on each proposed meeting agenda and presentations. In order to keep the public informed of the ALUCP development process and Working Group proceedings, community meetings were held approximately one week after each Working Group meeting. Several meetings were also held with representatives from the Hotel del Coronado, a key stakeholder. In addition briefings were conducted with City of Coronado and various other elected officials and their staff representatives since the initiation of ALUCP preparation. The table below summarizes the outreach meetings held.

Meeting Type	Quantity
Working Group Meetings	12
Community Meetings	10
City of Coronado Staff Coordination Meetings/Briefings	19 (2 also included the Hotel del Coronado)
Hotel del Coronado Coordination Meetings	6 (2 also included City of Coronado staff)
Elected Official Briefings	14

The community meetings were hosted at public facilities in Coronado and were advertised with notices on the websites of both the *Coronado Times* and the *Coronado Eagle & Journal* prior to each meeting. A notice about the kick-off of the ALUCP public outreach process was mailed in March 2016 to over 3,000 owners and/or occupants with property in the AICUZ noise contours or safety zones, and another notice was again mailed in April 2016 to provide the schedule of confirmed community meeting dates. A notice was again mailed to over 3,000 owners and/or occupants in April 2019 to notify them about the May 6, 2019 environmental impact report (EIR) scoping meeting, in addition to the standard public notice process required under California Environmental Quality Act (CEQA).

Residents who attended a community meeting and requested to be notified by email of each subsequent community meeting were so notified by a continuously updated email distribution list. All community meeting presentation documents were posted on the Airport Authority website at www.san.org/nasni following each meeting. A dedicated email address of ALUCPcomments@san.org was advertised and maintained by ALUC staff to allow anyone to easily provide feedback and/or request information.

Public Input Results

As shown by the numerous meetings and public outreach efforts outlined above, the Draft NASNI ALUCP is the product of many years of collaboration with local agencies, key stakeholders, and the public. As previously noted, the AICUZ considers most land uses located within its noise contours and safety zones as incompatible. To acknowledge existing land uses and prevailing development patterns in the City of Coronado, while still being consistent with the AICUZ noise and safety standards for future land uses, significant modifications were made in the Draft ALUCP. Below is a summary of those modifications:

Proposed ALUCP Residential Policies:

- Allows expansion and reconstruction of existing residences in safety zones or construction of new single family homes on existing legal lots (as required by law)
- Allows new accessory dwelling units in safety zones
- Allows expansion and reconstruction of residences in the 65+ dB CNEL noise contour

Proposed ALUCP Nonresidential Policies:

- Allows numerous commercial uses (e.g., eating and drinking establishments, hotels, retail, professional services, etc.), which already exist within the safety zones but are incompatible with the AICUZ, to be remodeled and reconstructed as long as the gross floor area is not expanded
- Allows new development to be exempt from noise and safety policies if less than 50 percent of structure is located within a noise contour or safety zone

In addition, the following exemptions from ALUC review were developed as part of the Working Group process. All of these are subject to stipulations in order to be exempt from ALUC review per Table 3 in the proposed ALUCP:

- Existing land uses
- Uses with vested rights
- Alterations to existing residential and nonresidential uses
- Projects outside noise and safety zones within Airport Influence Area
- Unoccupied accessory structures
- Temporary uses and activities
- Resumption of a discontinued use

ALUCP Compatibility Maps, Policies, & Standards

Through the extensive public outreach process conducted with the City of Coronado, the Working Group, general public, and key stakeholders like the Hotel del Coronado, ALUC staff has developed ALUCP policies that provide for the redevelopment of existing land uses surrounding NASNI while generally avoiding actions that would make existing land use incompatibilities with the AICUZ “worse,” consistent with AICUZ policies.

At the November 2, 2017 ALUC meeting, staff requested direction from the ALUC regarding these ALUCP compatibility policies and standards. The ALUC concurred with the staff recommendations and provided direction to move forward with the development of the draft ALUCP per those policies and prepare the required environmental analysis consistent with CEQA.

The release of the Notice of Preparation (NOP) and Initial Study for the Draft EIR was delayed until the U.S. Department of the Navy had concluded its environmental review process under the National Environmental Policy Act (NEPA) for the proposed C2A to CMV-22B aircraft fleet transition. The delay was necessary to determine if the proposed aircraft fleet transition would require an update to the current AICUZ study. The Navy's Finding of No Significant Impact (FONSI), published on November 1, 2018, concluded that all proposed project alternatives would have no impact to the AICUZ program at NASNI and made no recommendations to update the study. After the Navy's issuance of the FONSI, ALUC staff moved forward with the development of the Initial Study for the draft ALUCP.

The following sections provide a brief discussion of the NASNI ALUCP's main components.

Airport Influence Area

The ALUCP establishes the Airport Influence Area (AIA) (Figure 1) as "the area in which current and projected future airport-related noise, safety, airspace protection, or overflight factors/layers may significantly affect land use or necessitate restrictions on land use" (Bus. & Prof. Code §11010(b)(13)(B)). The cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego; the County of San Diego; and the Unified Port of San Diego have been included in the NASNI outreach process because the AIA affects land within their jurisdictions, and consultation with affected agencies is required when establishing an AIA [Pub. Util. Code §21675(c)]. The AIA is the area within which State law requires the disclosure of airport proximity and effects of airport operations and aircraft in flight in real estate sales and rental transactions and the area within the jurisdiction of the ALUC.

Noise & Safety Compatibility Standards

Because the lands affected by the ALUCP noise contours and safety zones substantially overlap, the noise and safety compatibility factors for NASNI were combined into one compatibility map (Figure 2) and corresponding matrix (Table 1) for ease of implementation. Similar to other ALUCPs, new uses or the expansion of existing uses are defined as "compatible" (green), "conditionally compatible" (yellow), or "incompatible" (red) according to that use's location compared to the noise and safety standards in the compatibility matrix.

Standards for noise and safety compatibility apply to redevelopment and the reconstruction of, additions to, or changes in the use of existing residences and nonresidential buildings. The goals of the noise and safety compatibility standards are to:

- Limit new noise- and risk-sensitive uses within the noise contours and safety zones
- Ensure new noise-sensitive development meets interior sound level performance standards
- Avoid increasing the degree of existing land use incompatibility within the noise contours and safety zones

Airspace Protection

The airspace protection boundary establishes the geographic area in which airspace protection and flight safety policies and standards apply (Figure 3). The airspace boundary is based upon existing Federal Aviation Administration (FAA) requirements for airspace surfaces surrounding NASNI runways. The policies and standards protect NASNI airspace and flight safety by:

- Limiting the height of new structures and objects to prevent hazard penetrations of FAA airspace
- Preserving the operational ability of NASNI
- Limiting potential hazards to flight (e.g., glare, distracting lighting, bird attractants, etc.)

The airspace protection and flight safety policies and standards reinforce the need for sponsors of proposed land use projects to comply with Federal law that requires notice to the FAA for proposed construction or alteration of structures or objects exceeding certain heights or that could potentially interfere with airspace navigational aids.

Overflight Notification

The goal of the overflight compatibility factor is to provide notice to prospective buyers of new housing within the overflight boundary regarding the potential effects (noise, dust, vibration, fumes, etc.) of aircraft overflight (Figure 4). This factor does not place any restrictions on property and only applies to new residential units, including the complete reconstruction of existing dwelling units and accessory dwelling units. The boundary was created based on the frequency of low-altitude flight tracks and plotted noise complaint locations. It extends into East County due to significant helicopter operations between NASNI and the Mountain Warfare Training Camp Monsoor near Campo along which flightpath documented noise complaints have occurred.

Concerns Among Certain Stakeholders

In 2017, stakeholders brought up several concerns during the development of the draft ALUCP with the Working Group. ALUC staff responded in writing to those stakeholder concerns at the time and many of those same concerns were submitted again during public review of the Draft EIR in 2020. In addition, two new concerns were raised regarding the Regional Housing Needs Assessment (RHNA) and urban decay. Summaries of the recurring 2017 and new concerns are described below.

Validity of the 2011 AICUZ/Not a Long-Range 20-year Master Plan

The current AICUZ Study, which includes NASNI and Naval Outlying Landing Field Imperial Beach (NOLF IB), was published in 2011 by the Navy. As indicated in the 2011 AICUZ, the prospective level of aircraft operations is based on the anticipated transition of aircraft types and flight activity for 2020, consistent with Navy guidance: "Based on the currently available unclassified information, each installation will develop a forecast of air operations activity levels (normally for a time frame 5 to 10 years forward). Forecasts may be based upon historical trends or projected aircraft base loading and should address expected mission changes."¹

¹ OPNAV Instruction 11010.36C, Air Installations Compatible Use Zones (AICUZ) Program, Chief of Naval Operations and Commandant of the Marine Corps, 9 October 2008, p. 4-1.

A number of comments were received requesting that the AICUZ study be updated prior to preparing an ALUCP. However, according to the Navy's AICUZ guidance, frequent AICUZ study updates are not advisable, because a primary purpose of the program is to promote long-term land use compatibility planning.² Frequent changes in key planning parameters, including noise contours and accident potential zones, can undermine a long-term land use compatibility-planning framework. The guidance states that "AICUZ reviews should be conducted when new requirements are anticipated at an installation such as basing of a new type of aircraft, significant increases in operational levels, or significant increases in nighttime (2200 to 0700 hours) flying activities."³

In addition, in two letters dated October 30, 2017, and March 25, 2020, from the Commander of Naval Base Coronado to the SDCRAA Director of Planning and Environmental Affairs, the Commander specifically addressed the question of whether the NASNI AICUZ Study had an expiration date. The Commander explained in the 2017 letter, "Navy policy emphasizes AICUZ studies are intended to be long term planning documents and regular updates are not required. AICUZ studies are reviewed when new requirements are anticipated at an installation, such as basing of a new type of aircraft, significant increases in operational levels, or significant increases in nighttime flying activities. At this time, the Navy is not anticipating new operational requirements at either NASNI or NOLFIB that would require such a review; therefore the current 2011 AICUZ study is valid indefinitely."⁴ The same language appears in the 2020 letter, which further states, "The future year forecast and analysis is not intended to reflect the lifespan or an expiration date of the AICUZ study." The 2020 letter goes on to say, "Please note that the National Environmental Policy Act analysis for the transition from the C2A aircraft to the Navy V22 [CMV-22B] aircraft at Fleet Logistics Centers, including NASNI, indicate that the proposed operations and noise contours associated with the aircraft transition are within the established parameters of the 2011 AICUZ study and a new study is not required."⁵

As discussed in the Draft EIR, the Navy recently reviewed the AICUZ study as part of its Environmental Assessment (EA) of the planned conversion from C-2A Greyhound fixed-wing aircraft to CMV-22B Osprey tilt-rotor aircraft, starting in 2020 and finishing by 2028. The EA concluded that no significant environmental impacts would occur with the proposed project.⁶ In addition, the EA concluded that no changes to the AICUZ study, prepared in 2011, would be required.⁷

² OPNAV Instruction 11010.36C, Air Installations Compatible Use Zones (AICUZ) Program, Chief of Naval Operations and Commandant of the Marine Corps, 9 October 2008, p. 1-1.

³ OPNAV Instruction 11010.36C, Air Installations Compatible Use Zones (AICUZ) Program, Chief of Naval Operations and Commandant of the Marine Corps, 9 October 2008, p. 5-1.

⁴ S.T. Mulvehill, Captain U.S. Navy, Commanding Officer Naval Base Coronado, letter to Brendan Reed, Director, Planning and Environmental Affairs, SDCRAA, 30 October 2017.

⁵ J.W. DePree, Commanding Officer, Naval Base Coronado, letter to Brendan Reed, Director, Planning & Environmental Affairs, SDCRAA, March 25, 2020.

⁶ Naval Facilities Engineering Command, Atlantic Division, *Final Environmental Assessment for the Transition from C-2A to CMV-22V Aircraft at Fleet Logistics Centers Naval Air Station North Island and Naval Station Norfolk*, July 2018, pp. ES-5 – ES-13. Cited in NASNI ALUCP Draft EIR, p. 4-19.

⁷ Naval Facilities Engineering Command, Atlantic Division, *Final Environmental Assessment for the Transition from C-2A to CMV-22V Aircraft at Fleet Logistics Centers Naval Air Station North Island and Naval Station Norfolk*, July 2018, p. ES-6. Cited in NASNI ALUCP Draft EIR, p. 4-19; Finding of No Significant Impact for the Environmental Assessment for the

ALUC Authority over Changes to Existing Land Uses

Perhaps foremost among the statutory limitations on ALUCs is that they have no authority over existing land uses regardless of whether such uses are incompatible with airport activities.⁸ The ALUC's purpose is to ensure "the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."⁹ [Emphasis added]

Certain modifications to existing land uses are subject to the statute:

It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook [Handbook], published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan [ALUCP] prepared by a commission [ALUC] pursuant to Section 21675.¹⁰ [Emphasis added]

The *Handbook* explains that, "The limitation on ALUC authority over existing land uses applies only to the extent that the use remains constant. Merely because a land use exists on a property does not entitle the owner to expand the use, convert it to a different use, or otherwise redevelop the property if new or increased compatibility conflicts would result. To the extent that such land use changes require ministerial or discretionary approval on the part of the county or city, they fall within the authority of the ALUC to review."¹¹ [Emphasis added]

The Public Utilities Code does not define when in the land use planning and development process a proposed new land use effectively becomes an existing use. The Draft ALUCP (Table 3) addresses this matter by defining "existing land use" as follows:

Any use occurring as of the effective date of this ALUCP that remains constant without increase in density or height of habitable space or physical change to a nonresidential structure's gross floor area or height that would increase intensity

Transition From C-2A to Cmv-22B Aircraft at Fleet Logistics Centers - Naval Air Station North Island, California and Naval Station Norfolk, Virginia, November 1, 2018, p. 7 of 17.

⁸ Pub. Util. Code §§21670(a) and 21674(e).

⁹ Pub. Util. Code §21670(a)(2) (emphasis added).

¹⁰ Pub. Util. Code §21674.7(2b) (emphasis added).

¹¹ State of California, Department of Transportation Division of Aeronautics, *California Airport Land Use Planning Handbook*, p. 4-41.

A land use is considered existing if a vested right is obtained in any of the following ways prior to adoption of this ALUCP:

- Issuance of a valid building permit or other development permit with substantial work performed and substantial liabilities incurred in good faith reliance on the permit¹²
- An executed and valid development agreement¹³
- An approved and unexpired vesting tentative map¹⁴

In addition, the Public Utilities Code does not address the question of whether or how much an existing use can be modified or reconstructed without being subject to the ALUCP. These types of issues have been addressed directly by provisions in the Draft ALUCP. Specifically, the Draft ALUCP would apply to some proposed changes in existing land uses, such as proposals for change to an incompatible land use and increases in structure height. Proposals to expand or reconstruct residences by 50 percent or more of the habitable area would be compatible subject to the achievement of interior sound level performance standards (45 dB CNEL) in the expanded or reconstructed parts of the dwelling. Table 3 in the Draft ALUCP describes the modifications to existing land uses that are exempt from ALUC review.

Mandate to Prepare ALUCP

The ALUC is required by state law to adopt an ALUCP for NASNI, and this requirement has not been suspended. See, e.g., Gov. Code §17581; California Commission on State Mandates Decision 03-TC-12, 4507. In a letter to the ALUC Chair, dated August 30, 2017, the Chief of the Office of Aviation Planning, Caltrans Division of Aeronautics, emphasizes that the ALUCP for NASNI is statutorily mandated, as quoted below.

First, we would like to point out that an ALUCP for NASNI is statutorily mandated. This mandate is in accordance with the California Public Utilities Code (PUC) sections 21675 (a) and (b), which specifically require that each ALUC shall formulate an ALUCP for each public airport and the area surrounding the airport within the jurisdiction of the ALUC, including areas surrounding any military airport regardless of whether the City is "built-out."

Government Code section 17581 specifies when local agencies are not required to implement a state law because the law is an unfunded state mandate. In order for a local agency to not be "required to implement or give effect to any statute or executive order," both of the following conditions must be met: 1) the statute must have been found to mandate a new program or higher level of service requiring reimbursement of local agencies pursuant to Section 6 of Article XIII B of the California Constitution; and 2) the statute has been specifically identified by the Legislature as being one for which reimbursement is not provided.

¹² Pursuant to the California Supreme Court decision in *Avco Community Developers, Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785,791 and its progeny.

¹³ Gov. Code §65866.

¹⁴ Go. Code §66498.1.

The second requirement has been met because the Legislature has specifically identified “Airport Land Use Commission/Plans” as a suspended state mandate for 2016/17. However, the first requirement of the statute mandating a new program or higher level of service requiring reimbursement has not been met. Specifically, the California Commission on State Mandates (“CSM”) has found that the preparation of an ALUCP is not a reimbursable state mandate because the state requirement to prepare ALUCPs found in Public Utilities Code section 21675 predated 1975 (and is thus not subject to reimbursement pursuant to Art XIII(B)(6)(a)(3) of the California Constitution) and state reimbursement is not required when the expense incurred by the local agency can be recovered through charging fees (Pub. Util. Code § 21671.5(f) authorizes fees related to the preparation of ALUCPs). Because the CSM has specifically found that the preparation of ALUCPs does not create a new program or higher level of service requiring reimbursement of local agencies, the first requirement of Government Code section 17581 has not been satisfied and this section cannot be relied on to relieve the Authority of its legal obligation to prepare ALUCPs under Public Utilities Code section 21675.

Impact of ALUCP on City of Coronado’s Compliance with RHNA

As explained in Section 4.2.4.1 of the Draft EIR, implementation of the Draft ALUCP could result in the displacement of up to 36 dwelling units (28 single-family units on 19 oversized lots and 8 multiple-family units on 4 lots) from the safety zones within the City of Coronado.¹⁵ Section 4.2.4.7 of the Draft EIR explains the speculative nature of this potential residential development, especially the single-family development.¹⁶ It also notes that although most of the land in Coronado is developed, opportunities for development similar to those in the Draft ALUCP safety zones are likely to exist in residential-zoned areas elsewhere in Coronado.¹⁷ Importantly, however, Section 4.2.4.7 of the Draft EIR also notes that the City lacks the ability to expand through annexation. “Thus, without rezoning to allow higher residential densities [outside the safety zones], the city has a finite capacity for additional housing development. Thus, it must be recognized that implementation of the Draft ALUCP would reduce the total housing capacity of the city by 36 dwelling units.”¹⁸

It should be noted that the development of new accessory dwelling units within the safety zones would be consistent with the Draft ALUCP.¹⁹

¹⁵ NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-24.

¹⁶ NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-24. “These [19] lots could accommodate up to an additional 28 homes if they could be subdivided. For this to be possible, however, the large homes on the affected lots may have to be demolished for the split lots to be configured to accommodate new homes. Given the high value of the real estate in the area, this may be a future possibility. On the other hand, the existing homes are quite substantial and expensive and may continue to be highly valued by the market as they are. Thus, the potential redevelopment of the properties (without implementation of the ALUCP) can only be considered speculative.”

¹⁷ NASNI ALUCP Draft EIR, December 2019, p. 4-41.

¹⁸ NASNI ALUCP Draft EIR, December 2019, p. 4-45.

¹⁹ Draft NASNI ALUCP, December 2019, p. 21.

The Draft EIR concluded that “it is possible that implementation of the ALUCP could interact with the updated RHNA allocation [for Coronado] and the updated [Coronado] Housing Element to create cumulative impacts.”²⁰ While the Draft EIR established the appropriate footing and foundation as required by CEQA, in light of the controversy surrounding this issue, the ALUC has confirmed that the text in the Draft EIR still accurately captures the current state of affairs, including the City of Coronado’s final SANDAG-approved allocation of 912 dwelling units.²¹

Create Undue Burden on Projects, Leading to Urban Decay

The policies and standards of the Draft ALUCP are limited in their application to new land uses and specific changes in existing land uses. As such, they are unlikely to lead to the alteration of the character of the affected area or result in blighting influences. All existing land uses, as that term is defined in the Draft ALUCP, located within the safety zones and 65 dB CNEL contour are unaffected by and exempt from the Draft ALUCP. Only new uses and certain proposed changes to existing land uses would be subject to Draft ALUCP policies and standards. Many kinds of development would be unaffected by implementation of the ALUCP. As described in Table 3 of the Draft ALUCP,²² various development projects would be exempt from ALUC review, and other projects would require only measures to attenuate outdoor noise to maximum interior levels of 45 dB CNEL.²³

Section 4.2.4 of the Draft EIR analyzes the impacts of the Draft ALUCP on potential future development within the Area of Potential Impact.²⁴ Section 4.2.4.7 of the Draft EIR summarizes those impacts.²⁵ As the analysis indicates, all potential land use impacts are speculative.

- No undeveloped land exists in the Area of Potential Impact.
- The nineteen single-family zoned properties subject to the potential displacement of 28 future residences are all currently developed and would have to be subdivided to accommodate any additional residences (other than accessory dwelling units). In at least some cases, the existing homes would have to be removed to allow for the subdivision and siting of new homes on the affected lots.
- The four multiple-family zoned properties subject to the displacement of eight future dwelling units are all currently developed and would likely require redevelopment in order to accommodate more housing.
- Two existing C—Commercial-zoned properties, which are currently developed, would be subject to the Draft ALUCP policy limiting increases in gross floor area.

²⁰ NASNI ALUCP Draft EIR, December 2019, p. 4-53 – 4-54.

²¹ SANDAG, *Proposed Final 6th Cycle Regional Housing Needs Assessment Plan*, June 26, 2020, Table 4.7, p. 27. https://www.sandag.org/uploads/projectid/projectid_189_27666.pdf, accessed July 14, 2020.

²² San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 9 – 10.

²³ San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 21 – 24.

²⁴ San Diego County Regional Airport Authority, *Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 4-22 – 4-48.

²⁵ San Diego County Regional Airport Authority, *Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 4-39 – 4-48.

- One H-M—Hotel-Motel-zoned property, the Hotel del Coronado, would be subject to the Draft ALUCP policy limiting increases in gross floor area. The Amended Master Plan for the property, however, would be unaffected by that limitation as it has been approved and has vested rights to build additional square footage. Thus, only speculative long-term development, for which there are currently no plans, would be affected by implementation of the Draft ALUCP.

The Draft ALUCP would consider the development of various new land uses, none of which currently exist within the safety zones, to be incompatible. These include uses serving large assemblies of people and people with limited effective mobility and uses involving the storage or processing of large quantities of hazardous materials.²⁶ Because no undeveloped land remains within the safety zones, these uses could only be accommodated through reconstruction or the adaptive reuse of existing buildings (the overwhelming majority of which are currently residential). Most of the incompatible nonresidential uses are institutional or public service uses, which are both subject to limited development demand and priced out of the local real estate market.²⁷ No commenters have provided any evidence of how the speculative effects described above could set in motion a downward spiral of disinvestment and urban decay, especially in an area so highly valued in the real estate market.²⁸

In administering ALUCPs for the other 15 airports in San Diego County, the ALUC has established project review procedures ensuring the efficient processing of referrals for ALUCP consistency review. Although permitted by state law to do so, the ALUC does not charge any fees for its review. While the law requires the ALUC to make a consistency determination within 60 days of receiving a complete application for a determination of consistency with the ALUCP, based on the ALUC's experience, the entire consistency review process typically ranges from one to three weeks, assuming initial receipt of a complete application. Unless the proposed land use is considered to be inconsistent with the ALUCP, ALUC staff have authorization to issue the consistency determination; only those land use actions which are incompatible with one or more of the ALUCP compatibility factors must go before a noticed hearing of the full ALUC. Thus, the costs and timeline of obtaining consistency determinations are not so burdensome as to unduly delay the processing time of development permits, as the ALUC's review runs concurrent with, not consecutive to, the City's own permit processing schedule.

²⁶ San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 21–24.

²⁷ San Diego County Regional Airport Authority, *Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 4-47 – 4-48.

²⁸ "In January 2019, average prices for homes in the neighborhoods within the safety zones listed on trullia.com ranged from \$25,000,000 to \$1,398,000 (https://www.trullia.com/real_estate/Coronado-California/, accessed January 30, 2019). A search of homes listed on Zillow found 18 homes in the study area listed for sale with prices ranging up to \$25,000,000. Ten of the homes were listed for more than \$3,500,000 (https://www.zillow.com/homes/for_sale/32.6926,-117.176453,32.67994,-117.196966_rect/15_zm/1_fr/, accessed January 30, 2019)." See San Diego County Regional Airport Authority, *Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, footnote 58, p. 4-27.

Moreover, the City of Coronado has the ability to implement the ALUCP into its own General Plan and zoning code, which, once found consistent with the ALUCP by the ALUC, will alleviate the need for individual project referrals for consistency determination to the ALUC. This expeditious statutory process has been effectively accomplished by a number of jurisdictions in San Diego County, such as the cities of Carlsbad, El Cajon, Imperial Beach, and San Diego as well as the County of San Diego. One method of implementing the ALUCP is through adoption of an overlay-zoning ordinance, applying the ALUCP policies and standards within overlay zones corresponding with the ALUCP noise contours and safety zones. Such action by the City of Coronado would reduce the administrative burden and timeline to the full extent possible. Alternatively, the City of Coronado may overrule the ALUCP (or portions of it), which would make project referrals to the ALUC unnecessary.

The ALUC has been administering ALUCPs for other airports in San Diego County for over 10 years. Parts of the airport influence areas for those ALUCPs include mature communities that have been developed for many decades. Examples include the communities near San Diego International Airport, Montgomery-Gibbs Executive Airport, Gillespie Field, and Brown Field Municipal Airport. None of the affected communities have reported any reduction in community investment or increases in urban decay attributable to ALUCP policies.

New Information

On September 2, 2020, the Sohagi Law Group, PLC, and Summit Environmental Group, Inc. submitted comment letters to the ALUC regarding the NASNI ALUCP and Final EIR on behalf of the City of Coronado. The letters raised a number of new issues not previously addressed to the ALUC or expanded upon issues previously raised with newer details. Summaries of these issues are described below and additional information from staff is provided regarding each of these issues.

Economic Impact Assessment

Keyser Marston Associates, Inc. prepared an Economic Impact Assessment evaluating the potential economic impact of the proposed ALUCP, if adopted and applied to development within Coronado. The assessment concluded that the City would experience a total loss in spending of nearly \$10.8 billion and a loss in City tax revenues of \$1.5 billion over a 50 year period.

The NASNI ALUCP was prepared consistent with the state statutory mandate that requires the ALUC to prepare an ALUCP for each public use airport and the area surrounding the airport within the jurisdiction of the ALUC, including areas surrounding any military airport. PUC 21675 (a),(b). The ALUCP for NANSI fulfills the ALUC's legislative obligations to prepare policies consistent with the NANSI AICUZ noise and safety policies that will protect public health, safety and welfare by minimizing the public's exposure to excessive noise and safety hazards within the areas surrounding NASNI. The potential economic impacts of ALUCP policies and standards are not required by statute or State policy guidance to be evaluated when developing an ALUCP. Rather, the legal statutory mandate is clear: the ALUC must adopt an ALUCP that is consistent with the noise and safety policies of the AICUZ. Furthermore, under the CEQA Guidelines, there is no requirement to determine the potential economic impacts of an ALUCP.

Although not required to be considered in the context of preparation and approval of the ALUCP for NANSI, based on a review of the Economic Impact Assessment, it is

important to point out that the potential impacts of the proposed ALUCP policies and standards were misunderstood, and, as such, the City's economic analysis grossly overstates the potential economic impacts of the ALUCP policies based on its erroneous and inaccurate assumption that all development activity would effectively cease within the noise and safety compatibility zones with Plan implementation. This is an incorrect assumption that contradicts the policies provided in the ALUCP. To accurately understand any potential impacts of the proposed ALUCP policies on future development potential, the analysis should have been based on the potential displacement of future development as outlined and analyzed under Section 4 – Environmental Impacts of the Draft EIR.

Resumption of Discontinued Use

Table 3 of the ALUCP provides an exemption from ALUC review for the resumption of existing, but discontinued uses otherwise incompatible with the ALUCP. Staff is only aware of one existing incompatible use within the safety zones, a religious assembly use at Coronado Plaza. All other existing nonresidential uses that staff is aware of would be compatible with the ALUCP policies and would not be subject to this policy. The determination of whether or not an incompatible use has been discontinued for more than 24 consecutive months and can be reestablished within that period would be made by the City. This two-year timeframe is consistent with other adopted ALUCPs within the County, and the retail and office uses cited in the Sohagi letter are, in fact, compatible with the ALUCP, with only new construction subject to interior sound level reduction standards.

Regional Housing Needs Assessment

Section 4.5.5, "Regional Housing Needs Assessment Update Process," of the Final EIR was noted with revisions to address the most recent final RHNA allocation of units within Coronado by SANDAG as of June 26, 2020. As noted in the Final EIR, until Coronado addresses this allocation within the Housing Element of its General Plan as a policy document, an evaluation of how this may be affected by the ALUCP is indeterminate, as it is not known how the City will address this issue within the Housing Element of its General Plan and whether and how many units of that allocation might be potentially located within the ALUCP Area of Potential Impact. Also, as indicated in the Final EIR, this issue is a land use issue and not a housing and population issue consistent with CEQA requirements. Nonetheless, the Final EIR determined that within that Area of Potential Impact, implementation of the ALUCP could potentially result in a displacement of 28 single-family and 8 multi-family residential units. In addition, the Final EIR discussed and analyzed the RHNA issues in the context of potential cumulative impacts consistent with CEQA requirements.

Meaningful Response to City Comments

The proposed ALUCP revisions described in Section 2.2 of the Final EIR clarify terms used in the ALUCP, describe routine administrative procedures, and reiterate some points of state law. They do not impose any additional substantive or administrative requirements. The City's comments on the Draft ALUCP and Draft EIR are addressed in Section 3 of the Final EIR (pages 35 through 101). The responses address the comments comprehensively and provide "a good faith, reasoned analysis" and response explaining the nature of significant issue(s) raised in the comments and why specific comments and suggestions were not accepted as well as the ALUC's disposition of the comments consistent with CEQA requirements. See, CEQA Guidelines 15088(b).

Adherence to AICUZ

PUC § 21675(b) states that an ALUCP prepared for an area surrounding a military airport must be “consistent with the safety and noise standards” in the AICUZ prepared for that military airport.²⁹ The proposed ALUCP safety and noise compatibility policies and standards were developed in consultation with the ALUCP Working Group. While consistent with the AICUZ, they are not identical, which is allowed pursuant to the *Muzzy Ranch Co. v. Solano County ALUC* (2008) decision. However, the ALUC cannot modify the AICUZ safety and noise compatibility zone boundaries, as prepared by the Department of Defense, to be less restrictive, as they represent the minimum standards prescribed. This issue is and further discussed in the response to comment A02-64 (page 72) in the Final EIR.

New Alternatives

The potential mitigation measures and additional alternatives suggested in the September 2 letter are variations of the alternatives discussed in Section 5 of the Draft EIR. As discussed and analyzed in the Draft EIR, although the alternatives evaluated in the Draft EIR were found to result in fewer potential land use and planning impacts, none of the alternatives would meet all of the project objectives and were found to be infeasible.. In addition, and as discussed in the Final EIR, any alternatives that depend on actions under the sole and exclusive control of the Navy (e.g., operations and facility changes and updates to the AICUZ study) are outside the ALUC’s jurisdiction and thus are infeasible. See Topical Response T-05 on page 15 of the Final EIR and the responses to Comments A02-33 (page 50) and A02-79 (page 90).

Modify Aircraft Operations to Reduce Impacts

The ALUC has no “jurisdiction or authority over the territory or operations of any military airport.”³⁰ Changes to the airfield configuration or aircraft operations is under the direct control and oversight of the Navy and Federal Aviation Administration. Any recommendations to modify the airfield configuration or aircraft operations to potentially reduce environmental impacts, such as displacing a runway threshold, should be directed to the Navy. See Topical Response T-03 (page 14) of the Final EIR.

Environmental Assessment (EA) for CMV-22B Osprey Transition

Differences between the aircraft fleet mix and number of annual aircraft operations that were used in the technical analyses prepared for the 2011 AICUZ and the 2018 Environmental Assessment for the CMV-22B Osprey Transition should be directed to the Navy. As previously addressed, the ALUCP cannot reduce the safety and noise compatibility zones published in the AICUZ. It should be noted that the EA concluded that no changes to the AICUZ study, prepared in 2011, would be required.

On September 22, 2020, the California Department of Transportation (Caltrans), Division of Aeronautics (Division) submitted a comment letter (Attachment 1) to the ALUC regarding the NASNI ALUCP. The letter commended the ALUC for taking the initiative to prepare the ALUCP and again noted its statutorily requirement under California Public Utilities Code (PUC) sections 21675 (a) and (b) to do so. The letter also provided

²⁹ On September 22, 2020, the California Department of Transportation (Caltrans), Division of Aeronautics (Division) submitted a comment letter to the ALUC regarding the NASNI ALUCP confirming the requirement that the NANSI ALUCP be consistent with the safety and noise standards in the AICUZ. (A copy of the Letter is attached hereto).

³⁰ California Public Utilities Code § 21675(b).

comments and recommendations on how the ALUCP can be improved. Summaries of the comments and recommendations are described below.

Table 4 Standards for Noise and Safety Compatibility

Caltrans commented that both residential density limits of units per acre and nonresidential intensity limits of people per acre be applied within the proposed safety compatibility zones. During the development of the ALUCP it was determined that given the built-out development pattern of the areas that fell within the safety compatibility zones, application of residential density and non-residential limits would not be applicable and would conflict with AICUZ safety standards that in essence freeze potential development at existing levels.

Additional Information Regarding Expansion, Conversion or Redevelopment of Existing Uses

Caltrans recommends that a specific *Handbook* citation relative to proposed changes to existing structures be included in the ALUCP. The *Handbook* states: "The limitation on ALUC authority over existing land uses applies only to the extent that the use remains constant. Merely because a land use exists on a property does not entitle the owner to expand the use, convert it to a different use, or otherwise redevelop the property if new or increased incompatibility conflicts would result. To the extent such land use changes require ministerial or discretionary approval on the part of the county or city, they fall within the authority for the ALUC to review."³¹ The language in the ALUCP regarding expansion, conversion or redevelopment of existing uses is consistent with the guidance in the *Handbook* and no further revisions are required.

An Additional Policy Regarding Obstructions

Caltrans recommends that specific language be included in the ALUCP to address further ALUC review of projects that have received a Notice of No Hazard from the FAA. The recommended language notes that the ALUC could still find projects inconsistent, even with a FAA Notice of No Hazard, based on other established criteria that find that the action could impact public health, welfare, or air safety. Sections 5.2.3 and 5.2.4 of the ALUCP address this specific issue and provide additional criteria that can be used to evaluate projects for consistency with the ALUCP.

ALUCP Implementation

State law requires that each local agency having jurisdiction over land uses within an AIA modify its General Plan and/or zoning ordinance to be consistent with the ALUCP, or to take steps necessary to overrule the ALUCP as a whole or in part. ALUC staff has met with the City of Coronado on numerous occasions in order to explain the proposed ALUCP policies and standards and answer questions related to implementation of the plan. While the City of Coronado's General Plan's strategic vision is consistent with the Draft ALUCP, there are conflicts with the City's zoning ordinance. Implementation of the ALUCP would require greater restrictions on the density and intensity of development and the designation of specific land use types as incompatible within certain safety zones and noise contours. ALUC staff will continue to work with the affected local agencies after the

³¹ State of California, Department of Transportation Division of Aeronautics, *California Airport Land Use Planning Handbook*, p. 4-41

adoption of the proposed ALUCP to provide any assistance that might be required during the implementation process.

Staff submits the following documents for ALUC consideration, which are intended to provide all the information sufficient and necessary for the ALUC to certify the Final EIR as the appropriate environmental document for the proposed ALUCP and adopt the ALUCP for NASNI.

- The Final EIR for the NASNI ALUCP, which includes ALUC staff responses to public comments received on the Draft EIR and ALUCP, and all other related environmental documentation;
- The proposed Resolution 2020-0001 ALUC, certifying the Final EIR for the NASNI ALUCP (including Attachment A – Statement of Overriding Considerations and Attachment B – Mitigation Monitoring and Reporting Program);
- The proposed NASNI ALUCP; and
- The proposed Resolution 2020-0002, adopting the proposed ALUCP for NASNI.

Fiscal Impact:

Adequate funding for the NASNI ALUCP is included in the adopted FY 2021 and conceptually approved FY 2022 Operating Expense Budgets within the Planning and Environmental Affairs Department's personnel and professional services budget line items.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Focus Areas

- Advance the Airport Development Plan Transform the Customer Journey Optimize Ongoing Business

Environmental Review:

A. CEQA: In accordance with the California Environmental Quality Act (CEQA), staff has considered whether the proposed ALUCP may have a significant effect on the environment using the CEQA Guidelines, set forth in Title 14 of the California Code of Regulations at Section 15000 et seq., and the Airport Authority's own CEQA Procedures. Environmental effects of the proposed ALUCP were initially documented in a Notice of Preparation (NOP) with an Initial Study, which were circulated for a 30-day period of public review beginning April 22, 2019. The Initial Study indicated that the proposed ALUCP may result in potentially significant impacts to the following environmental category: Land Use and Planning. Staff held a scoping meeting on May 6, 2019 to allow the public to express their opinions on the scope of the environmental analysis. Staff received six comments/letters in response to the circulated NOP and

Initial Study, and the relevant comments were incorporated into the subsequent environmental analysis and documentation.

Pursuant to the Initial Study, ALUC staff prepared a Draft EIR which concluded that the proposed ALUCP may result in potentially significant and unavoidable impacts to Land Use and Planning. The Draft EIR was circulated for public review and comment for 62 days, beginning December 19, 2019, in response to a request made by the City of Coronado to extend it beyond the 45-day period required by CEQA. ALUC staff subsequently received four letters from governmental entities and 51 letters and emails from members of the public. In addition, 335 members of the public submitted the same comment letter.

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

C. NEPA: This ALUC action is not a project that involves additional approvals or actions by the FAA and, therefore, no formal review under the National Environmental Policy Act (NEPA) is required.

Prepared by:

BRENDAN REED
DIRECTOR, PLANNING & ENVIRONMENTAL AFFAIRS

Table 1 Land Use Standards for Noise and Safety Compatibility

SAN DIEGO COUNTY AIRPORT LAND USE COMMISSION

Table 4 (1 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 dB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
10 Residences and Lodging						
111	Single-Family including accessory dwelling units; Supportive housing; Transitional housing	45	45	45	45	CZ, APZ I/II: One dwelling unit per legal lot of record at the time of ALUCP adoption, in addition to an accessory dwelling unit All Zones: For new or reconstructed or expanded portions of buildings, interior noise must perform to sound level indicated.
112, 113, 12	Multi-Family; Group quarters; Bed and breakfast inn		45	45	45	APZ I/II: Residential density limited to the density existing at time of ALUCP adoption; for new or reconstructed or expanded portions of buildings, interior noise must perform to sound level indicated. Inside 65 dB CNEL: For new or reconstructed or expanded portions of buildings, interior noise must perform to 45 dB CNEL.
13, 14, 15, 19	Residential Hotel; Mobile home park; Hotel/motel				45	Inside 65 dB CNEL: For new or reconstructed or expanded portions of buildings, interior noise must perform to 45 dB CNEL in sleeping areas.
20-30 Manufacturing						
23, 28, 29, 31, 35, 3999	Manufacturing: Apparel; Chemicals; Hazardous materials; Petroleum; Rubber; Plastic; Precision instruments					
21, 22, 32-34	Manufacturing: Food; Metals; Stone, clay, and glass; Textiles			50		APZ II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for public reception and office areas of new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
24-27, 39	Manufacturing: Furniture and fixtures; Lumber and wood products; Paper, Printing and publishing; Miscellaneous manufacturing		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for public reception and office areas of new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.

SAN DIEGO COUNTY AIRPORT LAND USE COMMISSION

Table 4 (2 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 DB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
40 Transportation, Communication, and Utilities						
41-46, 49	Auto parking; Boat launch ramp; Vehicle, freight, equipment storage					APZ I/II: No passenger facilities
47, 48	Communication: Telephone, radio, television; Utilities: Electrical, including wind and solar farms; Gas; Water; Wastewater					
485	Refuse Disposal: Sanitary landfill, solid waste/recycling center ⁵					
50 Trade						
51-59	Wholesale/Retail Trade, including eating/drinking establishment		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
60 Services						
61, 62, 63, 65, 67, 69	Office: Finance, insurance, real estate, medical/dental; Services: Personal/professional/government; Research & Development		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
6242, 637, 64, 66	Cemetery; Warehousing/storage (not including hazardous materials); Repair, including auto, electronics, furniture; Contract construction services		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for public reception and office areas of new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
6379	Warehousing/storage of hazardous materials					
6513, 6516	Hospital; Congregate care/nursing/convalescent facility; Large residential care facility				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
68	Day care; Nursery school; Elementary, middle/junior high, and high school; College/university				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
6911, 6994	Indoor Public Assembly: Religious, fraternal				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.

SAN DIEGO COUNTY AIRPORT LAND USE COMMISSION

Table 4 (3 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 DB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
70 Culture, Entertainment, and Recreation						
71	Library; Museum; Art gallery; Planetarium; Aquarium		45	45	45	APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; new or reconstructed portions of buildings, interior noise must perform to sound level indicated. Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
723	Indoor Entertainment Assembly; Auditorium, concert hall, theater				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
721, 722	Outdoor Assembly: Amphitheater, music shell; Spectator sports arena, stadium					
7123, 7124, 741, 743, 744,	Outdoor Participant Sports: Golf course, tennis court, riding stable, water recreation; Botanical garden; Zoo					APZ I/II: No clubhouse, indoor meeting place, or auditorium.
73	Amusement park; Golf driving range; Go-cart track; Miniature golf course					
742, 7414, 7415, 7417, 79	Athletic club; Gym; Fitness facility; Bowling alley; Recreation center; Skating rink		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; in new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
76	Park					CZ: No above-ground structures APZ I/II: No clubhouse, indoor meeting place, or auditorium.
749, 752	Campground				45	Inside 65 dB CNEL: In new or reconstructed portions of buildings, interior noise must perform to 45 dB CNEL in sleeping areas.
751	Resort		45/50	45/50	45	APZ I/II: No increase in gross floor area of existing uses; reconstructed building(s) limited to gross floor area at time ALUCP adoption; interior noise in new or reconstructed portion of building must perform to 45 dB CNEL in sleeping areas and 50 dB CNEL in all other areas; no new uses that are classified as incompatible in this table. Inside 65 dB CNEL: In new or reconstructed portions of buildings, interior noise must perform to 45 dB CNEL in sleeping areas.

SAN DIEGO COUNTY AIRPORT LAND USE COMMISSION

Table 4 (4 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 DB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
80	Resource Production and Extraction					
81-85, 89	Agriculture, aquaculture, mining					

KEY TO TABLE 4:

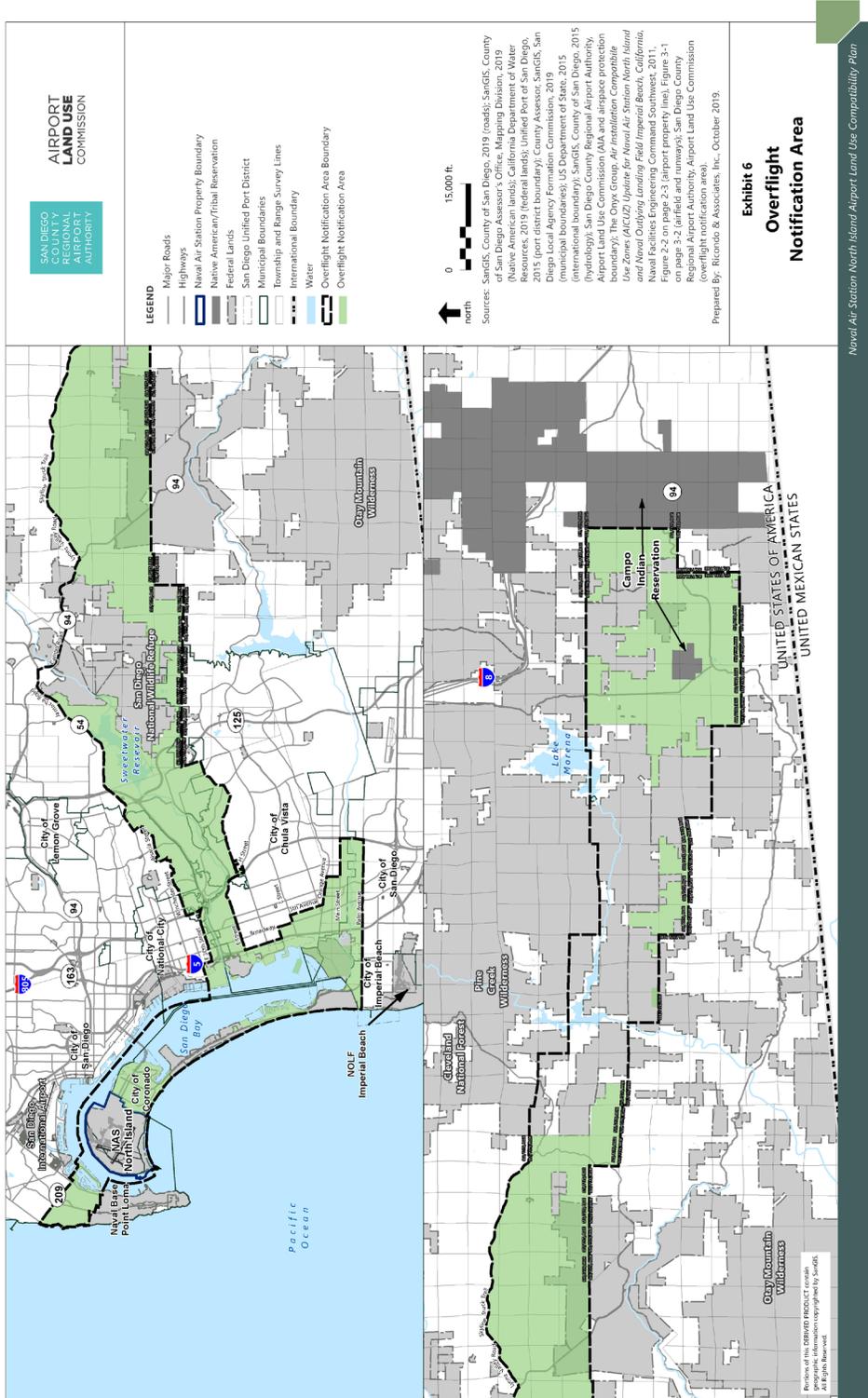
	Compatible land use. Not subject to any noise or safety standards
	Compatible land use if the indicated standards are met
	45, 50 Maximum interior sound level (in dB CNEL) from exterior noise sources with windows and doors closed. Interior sound level in new, reconstructed, or expanded portion of building, or in certain parts of building as described in the Standards columns, must perform to the level indicated. It is the responsibility of the project sponsor to demonstrate that the building, as designed, can achieve the interior sound level. This may be accomplished by the certification of an appropriately licensed design professional (engineer, architect, or acoustician with building design experience). The degree of acoustical treatment that is necessary will vary based on building design and the noise exposure level to which the building is exposed.
	Incompatible land use

NOTES TO TABLE 4:

- The reuse of any land use for an incompatible use per this table is inconsistent with this ALUCP.
- Standard Land Use Coding Manual*, U.S. Department of Commerce, Urban Renewal Administration and Bureau of Public Roads, 1965. The SLUCM is a comprehensive land use classification system defined with a hierarchical set of codes. The most detailed level of classification uses 4 digits (say, 6911 for "churches, synagogues, and temples"), the next most detailed level uses three digits (691 for "religious activities"), a more generalized level uses two digits (69 for "miscellaneous services"), and the most generalized level uses one digit (6 for "services"). In this land use compatibility table, the generalized two-digit SLUCM codes have been used where possible. The standards applicable to each two-digit level of land uses apply to all of the more detailed land uses (using three-digit and four-digit codes) within the two-digit category, unless a more detailed SLUCM Code is used elsewhere in the table. For example, in the second row of the "Transportation, Communication and Utilities" category, SLUCM Codes 47 and 48 include communications and utilities land uses. In the third row, however, SLUCM Code 485, refuse disposal, is called out as a distinct land use for purposes of land use compatibility. Thus, SLUCM Code 48, in the second row, should be interpreted as including all uses described in the SLUCM under the "48 code," except for Code 485.
- Community Noise Equivalent Level
- Per Section 5.1.6 of the ALUCP, Reconstruction of Existing Nonresidential Uses, gross floor area includes vested development.
- While refuse disposal and related uses are not noise-sensitive, they are considered incompatible within the 65 dB CNEL contour because of their tendency to attract birds, a potential hazard to flight. These uses are considered incompatible throughout the Airspace Protection Area, which includes all areas within the 65 dB CNEL contour. See Section 5.2.5.6, Wildlife Attractants of the ALUCP.

SOURCES: San Diego County Airport Land Use Commission, September 2020. Adapted from Tables C-1 and C-2 in the 2011 AICUZ (The Onyx Group, *Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, pages C-1 - C-10.)

Figure 4 Overflight Area Boundary



DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40
1120 N STREET
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY 711
www.dot.ca.gov

Attachment 1

*Making Conservation
a California Way of Life.*

September 22, 2020

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

Electronically Sent
rredman@san.org

Dear Mr. Redman:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division) commends the San Diego County Regional Airport Authority (SDCRAA) in its role as the Airport Land Use Commission (ALUC) for San Diego County, for taking the initiative at the SDCRAA's own expense to develop an Airport Land Use Compatibility Plan (ALUCP) for the Naval Air Station North Island (NASNI). This action demonstrates a true commitment to saving lives and improving the livability for those who use, travel, or live near the NASNI. An ALUCP is a very powerful safety instrument that protects the public and aviation users. Additionally, an ALUCP for the NASNI is essential and statutorily mandated in accordance with the California Public Utilities Code (PUC) sections 21675 (a) and (b), which specifically require that each ALUC shall formulate an ALUCP for each public airport and the area surrounding the airport within the jurisdiction of the ALUC, including areas surrounding any military airport. The Division truly appreciates the SDCRAA for developing the first ever and incredibly essential ALUCP for the NASNI.

The Division reviewed the Draft ALUCP for the NASNI dated September 2020 pursuant to the California State Aeronautics Act and PUC, section 21670 et seq. with respect to airport-related noise, safety impacts, and regional aviation land use planning issues. Additionally, this ALUCP was reviewed for consistency with the concepts, principles, practices, and policies contained in the California Airport Land Use Planning Handbook (Handbook) dated October 2011. In part, the PUC, section 21674.7(b) states:

It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the Division . . .

This Draft ALUCP, if adopted, will help to protect the public health, safety, and welfare by ensuring the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards. As guided by the Handbook, the current Air Installations Compatible Use Zones (AICUZ) Study for the NASNI dated 2011 was used as

*"Provide a safe, sustainable, integrated, and efficient transportation system
to enhance California's economy and livability"*

the basis for this Draft ALUCP. Additionally, it is appreciated that your staff worked with military personnel to confirm the continued applicability of the AICUZ noise contours and safety zones.

It should be noted that AICUZ compatibility criteria tend to be minimal in terms of the degree of protection from incompatible land uses. ALUCs and local jurisdictions can and should consider setting higher standards in their own respective compatibility planning. The Handbook's guidance generally points toward higher standards, which are more restrictive than the AICUZ regarding the size of the safety zones, and the densities, intensities, and uses allowed in these safety zones. The Handbook does state that the ALUC could choose to use the AICUZ guidelines directly, which in this case would allow for a less restrictive but an acceptable ALUCP.

Our comments are intended to ensure that the requirements and processes of the PUC, section 21670 et seq. and the Handbook are properly implemented but are not intended to establish land uses in the vicinity of NASNI.

The comments for the Draft NASNI ALUCP dated September 2020 are as follows:

- **Pages 23-26 - Table 4 Standards for Noise and Safety Compatibility**

All non-residential uses including those listed as the following: Manufacturing, Transportation, Communication, Utilities, Trade, Services, Culture, Entertainment, Recreation, Resource Production and Extraction

Although limits are listed such as "no increase in gross floor area of existing uses," it would be clearer for uses that are listed as compatible or conditionally compatible to have specific intensities listed as to the average number of people allowed per gross acre, and the maximum number of people allowed per single acre, in addition to not allowing an increase in gross floor area of an existing use. This is especially true for new uses or structures.

Residences and Lodging

Although limits are listed, it would be clearer to list them as a specific number of dwelling units allowed per acre in each safety zone.

Culture, Entertainment, and Recreation

Parks are listed as compatible in the Clear Zone if there are no above ground structures. Even with no above ground structures, it is not recommended to have parks in the Clear Zone.

- **Additional information regarding Expansion, Conversion or Redevelopment of Existing Uses**

It would be good to include the following from the Handbook page 4-41:

The limitation on ALUC authority over existing land uses applies only to the extent that the use remains constant. Merely because a land use exists on a property does not entitle the owner to expand the use, convert it to a different use, or otherwise redevelop the property if new or increased compatibility conflicts would result. To the extent that such land use changes require ministerial or discretionary approval on the part of the county or city, they fall within the authority of the ALUC to review.

- **An additional policy regarding obstructions.**

It is recommended to consider including the following or similar:

A Determination of No Hazard to Air Navigation by the Federal Aviation Administration (FAA) does not automatically equate to a Consistency Determination by the ALUC. The FAA may also conclude in its aeronautical study that a project is an Obstruction but not a Hazard to Air Navigation. The Commission may find a project inconsistent based on an aeronautical study. The Commission may utilize criteria for protecting aircraft traffic patterns at individual airports, which may differ from those contained in Federal Aviation Regulation Part 77, should evidence of health, welfare, or air safety surface sufficient to justify such an action.

If you have any questions, please contact me at (916) 639-6298 or by email at tony.sordello@dot.ca.gov

Sincerely,

Original signed by

TONY SORDELLO, Aviation Planner
Office of Aviation Planning

c: al.richardson@faa.gov
holly.dixon@faa.gov
raquel.girvin@faa.gov

RESOLUTION NO. 2020-0001 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR NAVAL AIR STATION NORTH ISLAND - AIRPORT LAND USE COMPATIBILITY PLAN AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS OF FACT, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, is required to prepare and adopt an Airport Land Use Compatibility Plan (ALUCP) for Naval Air Station North Island (NASNI) (see Pub. Util. Code, §§21670.3(a); 21675(b)); and

WHEREAS, in preparing the NASNI ALUCP (also referred to herein as the proposed Project), the ALUC is required to comply with the California Environmental Quality Act (CEQA; Pub. Res. Code, §21000 et seq.), the State CEQA Guidelines (CEQA Guidelines; Cal. Code Regs., tit. 14, §15000 et. seq.), and the Airport Authority's own CEQA Procedures; and

WHEREAS, in accordance with CEQA, on April 22, 2019, ALUC staff prepared and circulated, for a thirty (30) day public review period, a Notice of Preparation (NOP) and Initial Study for the proposed Project (State Clearinghouse No. 2019049125); and

WHEREAS, the NOP and Initial Study concluded that the NASNI ALUCP may result in potentially significant environmental impacts to land use and planning; and

WHEREAS, the NOP and Initial Study concluded that the proposed Project would not result in potentially significant impacts to any of the following environmental impact areas: aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; mineral resources; noise; population and housing, public services; recreation; transportation and traffic; tribal cultural resources; utilities and service systems; and wildfire; and

WHEREAS, on May 6, 2019, after providing the public with notice via the NOP, direct mailings, and advertisements on the Authority website and in multiple local publications, ALUC staff held a scoping meeting in order to provide interested parties with an additional opportunity to comment on the scope of the environmental analysis for the proposed Project; and

WHEREAS, ALUC staff received six (6) comment letters in response to the NOP and Initial Study (one from a state agency, three from local agencies, one from a Native American tribe, and one from an individual); and

WHEREAS, a Draft Environmental Impact Report (Draft EIR) (State Clearinghouse No. 2019049125) for the proposed Project was prepared pursuant to CEQA and the CEQA Guidelines and the Airport Authority's CEQA Procedures; and

WHEREAS, ALUC staff sent a Notice of Availability (NOA) of the Draft EIR, via certified mail, regular mail and email to all individuals, entities, agencies, and others on its distribution list, including the affected local agencies (the cities of San Diego, Coronado, National City, Chula Vista and Imperial Beach; the County of San Diego; and the San Diego Unified Port District), posted the NOA at the San Diego County Clerk's Office, and published the NOA in multiple local publications; and

WHEREAS, the Draft EIR was circulated for public review on December 19, 2019, for a forty-five (45) day comment period, which was then extended to sixty-two (62) days (due to an extension request by the City of Coronado), concluding on February 18, 2020; and

WHEREAS, ALUC staff received fifty-five (55) comment letters on the Draft EIR from state agencies, local agencies, organizations, and individuals, in addition to a form letter from 335 people; and

WHEREAS, ALUC staff prepared individual responses to each of the comment letters received on the Draft EIR, as well as eighteen (18) topical responses for areas addressed in a number of the comment letters received on the Draft EIR; and

WHEREAS, a Final EIR was prepared pursuant to CEQA and the CEQA Guidelines; and

WHEREAS, the Final EIR was released on August 20, 2020, and incorporated the Draft EIR and included written responses to the comments received during the review and comment period; and

WHEREAS, ALUC staff sent a Notice of Availability (NOA) of the Final EIR, via email or overnight mail, to the 390 commenters on August 20, 2020, and the commenters were notified that a public hearing to consider the proposed Project and supporting CEQA documentation would be held on September 3, 2020; and

WHEREAS, the Final EIR concluded that the proposed Project may result in significant and unavoidable impacts on a project-specific and cumulative basis to Land Use and Planning; and

WHEREAS, a Mitigation Monitoring and Reporting Program is required under the CEQA (Pub. Res. Code§ 21081.6) to provide for the monitoring of mitigation measures which are part of the proposed Project; and

WHEREAS, the ALUC held a duly noticed public meeting on October 1, 2020, to receive and consider public testimony with respect to the NASNI ALUCP and the completeness and adequacy of the Final EIR for the proposed ALUCP; and

WHEREAS, the ALUC has reviewed and considered all of the information presented to it as set forth above, and this Resolution and action taken hereby is a result of the ALUC's independent judgment and analysis; and

NOW, THEREFORE, BE IT RESOLVED that the ALUC hereby:

- (1) Certifies that the Final EIR has been prepared and completed in compliance with CEQA, the CEQA Guidelines and the Airport Authority's own CEQA Procedures; and
- (2) Certifies that it has reviewed and considered the Final EIR, including the information contained therein, and the whole record of these proceedings; and
- (3) Certifies that the Final EIR reflects the ALUC's independent judgment and analysis; and
- (4) Adopts the attached Findings of Fact and Statement of Overriding Considerations (Attachment A to this Resolution), which the ALUC finds are supported by substantial evidence; adopts the attached Mitigation Monitoring and Reporting Program (Attachment B to this Resolution); and directs staff to file a Notice of Determination with respect to the NASNI ALUCP within five (5) days of approval of the NASNI ALUCP and in accordance with the requirements of CEQA Guidelines section 15094.

PASSED, ADOPTED, AND APPROVED by the Airport Lang for San Diego County at a regular meeting this 1st day of October 2020, 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

ATTACHMENT A
FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE NAVAL AIR STATION NORTH ISLAND - AIRPORT LAND USE
COMPATIBILITY PLAN ENVIRONMENTAL IMPACT REPORT

1.0 INTRODUCTION

This document constitutes the independent findings and reflects the independent judgment of the San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County (County). The findings are fully and completely supported by substantial evidence.¹ All language in this document constitutes findings, whether or not any particular sentence or clause includes a statement to that effect.

In that regard, all summaries of information and the findings presented herein are based on the Final Environmental Impact Report (EIR),² the Naval Air Station North Island (NASNI) Airport Land Use Compatibility Plan (ALUCP) (*i.e.*, the proposed Project), and other evidence in the record, including the 2011 *Air Installation Compatible Use (AICUZ)* study, as published by the Department of the Navy, and *California Airport Land Use Planning Handbook (Handbook; Oct. 2011)*, as published by the State of California Department of Transportation, Division of Aeronautics (Caltrans). The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact. The summaries of information below are only summaries. Therefore, cross-references to the Final EIR and other evidence in the record have been made where helpful, and reference should be made directly to the Final EIR and other evidence in the record for more precise information regarding the facts on which any summary is based. In addition, unless noted or stated otherwise, the rationale for the findings is set forth in the Final EIR (including the responses to comments) or elsewhere in the administrative record.

1.1 STATUTORY REQUIREMENTS FOR FINDINGS

The Final EIR identified significant environmental impacts associated with the proposed NASNI ALUCP. Under the California Environmental Quality Act (CEQA)³, approval of a project with significant and unavoidable impact(s) must be supported by findings of fact made by the lead agency.⁴ Specifically, the Airport Authority, acting in its capacity as the ALUC for the County, must make one or more of the following written findings:

- a. Changes or alterations have been required in, or incorporated into, the proposed NASNI ALUCP that avoid or substantially lessen the significant environmental impacts identified in the Final EIR;

¹ See Pub. Res. Code, §§21081.5 and 21082.1(c).

² The Final EIR consists of the Draft EIR (December 2019) and Final EIR (September 2020).

³ Pub. Res. Code, §21000 *et seq.*

⁴ Pub. Res. Code, §21081.

- b. Such changes or alterations are within the responsibility and jurisdiction of another public agency, and such changes have been adopted by such other agency or can and should be adopted by such other agency; and/or
- c. Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.⁵

Accordingly, the ALUC's findings contained herein accomplish the following:

- a. They address the significant environmental impacts identified in the Final EIR for the proposed NASNI ALUCP;
- b. They incorporate by reference and adopt all mitigation measures recommended in connection with the significant impacts identified in the Final EIR, and the Mitigation Monitoring and Reporting Program (MMRP) prepared for the proposed ALUCP (see Attachment B);
- c. They indicate whether a significant impact is avoided or reduced by the adopted mitigation measures to a less-than-significant level, or otherwise remains significant and unavoidable either because there are no feasible mitigation measures, or because even with implementation of mitigation measures a significant impact will occur, or because such changes or alterations are within the responsibility and jurisdiction of another public agency;
- d. They address the feasibility of all Project alternatives and mitigation measures identified in the Final EIR; and
- e. They incorporate and adopt a Statement of Overriding Considerations for all environmental impacts of the proposed Project that remain significant and unavoidable. (See **Section 12.0**, below.)

2.0 DESCRIPTION OF PROPOSED PROJECT

The proposed Project is the NASNI ALUCP. The Airport Authority, acting in its capacity as the ALUC for the County, is required by law to adopt an ALUCP for "area[s] within the jurisdiction of the [ALUC] surrounding any military airport."⁶ The NASNI site lies within the jurisdiction of the ALUC.

The basic function of an ALUCP is to promote compatibility between an airport and the land uses that surround the airport and lie within the airport's designated airport influence area (AIA), to the extent that these areas are not already devoted to incompatible uses.⁷ The AIA is comprised of the areas in which current or future airport-related noise, overflight, safety, and/or airspace protection concerns may affect future land uses or necessitate restrictions on those uses. The NASNI AIA includes portions of

⁵ California Code of Regulations, Title 14, §15091(a).

⁶ California Public Utilities Code, §21675(b).

⁷ Pub. Util. Code, §21675(a).

the cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego; the County of San Diego; and the San Diego Unified Port District.

Accordingly, the proposed NASNI ALUCP would provide compatibility policies and standards for the future development of new residential and nonresidential uses, and other noise or risk-sensitive uses within the AIA based on multiple factors established by the ALUCP, including the location of the development relative to the safety zones, the community noise equivalent level (CNEL) contours, the airspace protection surfaces, and the areas subject to overflight. The proposed ALUCP's policies and standards indicate whether the future development of specified land uses in certain portions of the AIA is incompatible, conditionally compatible, or compatible.

In addition, the proposed NASNI ALUCP would be utilized by the ALUC when it reviews proposed land use plans and regulations and projects within the AIA. The ALUCP also would assist local agencies in their preparation or amendment of land use plans and ordinances, as state law explicitly requires local agencies to modify their planning documents to be consistent with the ALUCP, or otherwise overrule the ALUC within a specified time frame.⁸

3.0 FINDINGS OF NO IMPACT

As noted in **Section 1.6** of the Draft EIR and in **Section 4.2** of the Initial Study (Appendix A of the Draft EIR), no impacts to agricultural and forestry resources are anticipated with implementation of the proposed project.

4.0 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

As specifically addressed in **Section 1.6** of the Draft EIR and in the Initial Study (**Sections 4.1** and **4.3** through **4.20** of Appendix A of the Draft EIR), certain potential impacts to various environmental categories were determined to be less than significant. These environmental impact categories include:

- Aesthetics
- Air quality
- Biological resources
- Cultural resources
- Energy
- Geology and soils
- Greenhouse gas emissions
- Hazards and hazardous materials
- Hydrology and water quality

⁸ Pub. Util. Code, §21676.

- Mineral resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and traffic
- Tribal Cultural Resources
- Utilities and service systems
- Wildfire

The ALUC hereby adopts and incorporates by reference the reasons stated in **Sections 4.1** and **4.3** through **4.20** of Appendix A of the Draft EIR as its grounds for determining that the NASNI ALUCP will have a less-than-significant impact on each of these environmental impact categories.

5.0 LAND USE AND PLANNING IMPACTS IDENTIFIED AND ANALYZED AND DETERMINED TO HAVE NO SIGNIFICANT IMPACT

The ALUC finds and determines that the land use and planning impacts described and summarized in this Section and identified and evaluated in the Final EIR are not significant environmental impacts and that no mitigation measures are needed. The significance thresholds identified below in italics and used to render these impact determinations are found in Appendix G of the CEQA Guidelines.

The parenthetical citations included with each “impact threshold” refer to the labeling of the impact thresholds in **Section 4.11** in Appendix A of the Draft EIR.

Impact Threshold: a. Physically divide an established community.

Finding: The ALUC finds that implementation of the proposed Project will have no impact with regard to physically dividing an established community, and therefore no mitigation is required.

As discussed in **Section 4.2.3** of the Draft EIR and **Section 4.11** in Appendix A of the Draft EIR, the NASNI ALUCP does not propose or entail any new development, construction, or changes to existing land uses or the environment. Therefore, the ALUCP would not result in the physical division of an established community.

Impact Threshold: b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Finding: The ALUC finds that implementation of the proposed Project will have a less-than-significant impact with regard to conflicting with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect, and therefore no mitigation is required.

As discussed in **Section 4.2.3** of the Draft EIR and **Section 4.11** in Appendix A of the Draft EIR, the NASNI ALUCP does not propose or entail any new development, construction, or changes to existing land uses or the environment. While the ALUCP conflicts with existing zoning in parts of the ALUCP Area of Potential Impact by limiting the density of new residential development, limiting the intensity of new nonresidential development, and designating certain new land uses as incompatible, as discussed in **Section 4.11** of Appendix A of the Draft EIR, those conflicts would not interfere with any land use plans, policies, or regulations intended to mitigate or avoid an environmental effect. It is possible that the policies and standards of the ALUCP could result in a shift in development patterns that could result in conflicts with applicable land use plans, policies, or regulations adopted to avoid or mitigate an environmental effect. Any such shifts are subject to considerable uncertainty and would depend on a combination of factors that are extremely difficult to predict, including future market forces and the preferences of developers and property owners. Therefore, the proposed Project cannot reasonably be considered to result in significant impacts with respect to applicable land use plans, policies, or regulations adopted to avoid or mitigate an environmental effect.

6.0 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS THAT CANNOT BE MITIGATED TO A LEVEL OF INSIGNIFICANCE

The Final EIR identified the following significant and unavoidable impacts associated with Project approval, and, where feasible, recommended mitigation measures. The ALUC hereby finds that this significant and unavoidable impact is outweighed by the public benefits provided by the proposed Project, and is acceptable, as more fully specified in the "Statement of Overriding Considerations" (**Section 13.0**, below.) As noted above, the significance thresholds used to render these impact determinations are found in Appendix G of the CEQA Guidelines.

6.1 ENVIRONMENTAL IMPACTS – LAND USE AND PLANNING

Section 4.2.4 of the Draft EIR presents an analysis of the impacts of the proposed Project on Land Use and Planning. Approximately 52 percent of the Hotel-Motel (H-M) zoned land in Coronado is within the proposed ALUCP safety zones. Implementation of the NASNI ALUCP could potentially result in the potential maximum displacement of 38,023 square feet of future nonresidential development in the H-M zoning district.

Given the range of potential displacement that could be caused by implementation of the NASNI ALUCP and the relatively limited areas of H-M-zoned land outside the safety zones, the potential impact of the NASNI ALUCP on hotel, motel, and resort development is considered significant.

6.2 MITIGATION MEASURES

Two mitigation measures that would reduce the substantial incompatibilities with the City of Coronado's adopted land use plans to less-than-significant levels were identified in **Section 4.2.5** of the Draft EIR and are hereby adopted by the ALUC. They would require action by the City of Coronado.

1: Following adoption of the NASNI ALUCP, the City of Coronado can and should amend its land use regulations to achieve consistency with the NASNI ALUCP.

2: Following adoption of the NASNI ALUCP, the City of Coronado can and should amend its General Plan, relevant specific plans, and Zoning Code to increase the allowable residential density or nonresidential development intensity (e.g., floor area ratios) in selected areas outside the ALUCP safety zones to compensate for the future development displaced from the safety zones.

Unless they choose to overrule an ALUCP, as provided by law, affected cities and counties are required to make their land use plans and zoning regulations consistent with new or amended ALUCPs.⁹ Implementation of the ALUCP policies and standards by the City of Coronado can be achieved by adoption of an Overlay Zone for the NASNI AIA. By such action, this would eliminate substantial incompatibilities between the proposed ALUCP and the City's zoning ordinance. At the same time, however, the maximum future residential units and nonresidential floor area within the ALUCP Area of Potential Impact would be reduced compared with existing conditions. If the potential development of those potentially displaced land uses is to be fully offset, then additional residential and nonresidential development must be allowed elsewhere. This could be accommodated through zoning amendments increasing allowable residential densities and allowable nonresidential floor area ratios in areas outside the safety zones of the proposed ALUCP.

Under the law, the City of Coronado also can overrule the proposed ALUCP, rather than implement it through amendments to zoning regulations. Thus, implementation of the proposed ALUCP cannot be guaranteed by the ALUC. If the City chooses to overrule the proposed ALUCP, no adverse environmental impacts would result, although the City would be required to adopt findings demonstrating that overruling of the proposed ALUCP would be consistent with the intent of the ALUC statute (Pub. Util. Code §21670, *et seq.*) as required by law.¹⁰

6.3 CUMULATIVE IMPACTS

Section 4.5 of the Draft EIR assessed potential cumulative impacts associated with the NASNI ALUCP in combination with the following actions that have recently been implemented or that are planned for the future.

⁹ California Public Utilities Code §§21675.1(d), 21676, 21676.5.

¹⁰ To overrule the ALUCP, a local governing body must make specific findings that its current land use plans and regulations are consistent with the purposes of the state's airport land use compatibility law and approve the overrule resolution by a two-thirds majority vote. See Public Utilities Code, §§21675.1(d) and 21676.5(a).

- City of Coronado Ordinance 2062 – Residential Standards Improvement Program
- City of Coronado Ordinance 2088 – Amended Historic Resources Code
- Regional Planning For Rising Sea Levels
- CMV-22B Conversion at NASNI
- Regional Housing Needs Assessment Update Process

In addition to these five actions, the potential cumulative impact of the NASNI ALUCP in combination with the other ALUCPs in San Diego County is discussed below.

Cumulative Impact Threshold: Do the impacts of the proposed ALUCP, in combination with the impacts of other projects, have the potential to become cumulatively significant.

6.3.1 Ordinance 2062 – Residential Standards Improvement Program

This ordinance amended the Zoning Code by adding design standards for residential development. The additional standards are intended to ensure light and air for properties adjacent to those that are undergoing development or expansion by limiting building heights and mass. The standards also adjusted residential yard and building setback requirements. These zoning amendments would not alter the effect of the proposed policies and standards of the ALUCP on potential residential development and would not lead to cumulative impacts on residential development.

6.3.2 Ordinance 2088 – Amended Historic Resources Code

This ordinance amended some of the criteria for buildings to qualify as historic resources and modified administrative processes related to applying for historic resource designation. Certain editorial revisions were also made.¹¹ The amendments to the Historic Resources Code would not change the relationship of the Code to the ALUCP, nor would the amendments interact with the proposed policies and standards of the ALUCP to create cumulative impacts.

6.3.3 Regional Planning for Rising Sea Levels

The City of Coronado has been coordinating with other San Diego Bay area governments and stakeholders in studying the potential impact of rising sea levels on the local natural and built environment. The City was represented on the Steering Committee and Technical Advisory Committee that participated in the preparation of an adaptation strategy document in 2012.¹²

At this point, no specific regulations or development standards related to sea level rise have been adopted by the City of Coronado. Neither the comprehensive strategies

¹² ICLEI Local Governments for Sustainability, Sea Level Rise Adaptation Strategy for San Diego Bay, January 2012. Prepared for the project's Public Agency Steering Committee, with the support of The San Diego Foundation.

nor the targeted strategies related to the building stock would interact with the proposed policies and standards of the ALUCP to create cumulative impacts.

6.3.4 CMV-22B Conversion at NASNI

The U.S. Navy is planning a conversion from C-2A Greyhound fixed-wing aircraft to CMV-22B Osprey tilt-rotor aircraft, starting in 2020 and finishing by 2028. The Environmental Assessment (EA)¹³ for the proposed project concluded that no significant environmental impacts would occur with either of the two alternatives.¹⁴ No changes to the AICUZ study, prepared in 2011, would be required.¹⁵

The planned aircraft conversion at NASNI would not interact with the policies and standards of the ALUCP to create cumulative impacts.

6.3.5 Regional Housing Needs Assessment Update Process

The San Diego Association of Governments (SANDAG) is in the process of updating the Regional Housing Needs Assessment (RHNA) for the 6th Housing Element Cycle (2021 – 2029). The ultimate objective of that process is to allocate the region's needed housing units for the period, as determined by the State Department of Housing and Community Development (HCD), among the local governments throughout the region. Local governments are then required to update their housing elements with the goal of achieving their RHNA allocations.

The final RHNA allocation was approved by SANDAG on June 26, 2020. The final allocation for Coronado was 912 dwelling units.¹⁶ The City must now update the Housing Element of the General Plan to account for achievement of their RHNA allocations by April 2021.¹⁷

As presented in **Section 4.2.4** and summarized in **Table 4-10** of the Draft EIR, the implementation of the proposed ALUCP could result in the displacement of 28 single-

¹³ Department of Defense, Department of the Navy, *Finding of No Significant Impact for the Environmental Assessment for the Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers – Naval Air Station North Island, California, and Naval Station Norfolk, Virginia*, November 15, 2018.

¹⁴ Naval Facilities Engineering Command, Atlantic Division, *Final Environmental Assessment for the Transition from C-2A to CMV-22V Aircraft at Fleet Logistics Centers Naval Air Station North Island and Naval Station Norfolk*, July 2018, pp. ES-5 – ES-13.

¹⁵ Naval Facilities Engineering Command, Atlantic Division, *Final Environmental Assessment for the Transition from C-2A to CMV-22V Aircraft at Fleet Logistics Centers Naval Air Station North Island and Naval Station Norfolk*, July 2018, p. ES-6.

¹⁶ SANDAG, Proposed Final 6th Cycle Regional Housing Needs Assessment Plan, *June 26, 2020*, Table 4.7, p. 27. https://www.sandag.org/uploads/projectid/projectid_189_27666.pdf, accessed July 14, 2020.

¹⁷ <https://www.sandag.org/index.asp?classid=12&subclassid=116&projectid=189&fuseaction=projects.detail>. Accessed November 1, 2019.

family and 8 multiple-family housing units. Until the City of Coronado updates the Housing Element of its General Plan, the potential contribution of the ALUCP to cumulative impacts on housing development cannot be determined. Nonetheless, given the potential for a substantial increase in Coronado's RHNA allocation, it is possible that implementation of the ALUCP could interact with the updated RHNA allocation and the updated Housing Element to create cumulative land use impacts.

6.3.6 Other ALUCPs in San Diego County

Since 2006, the ALUC has approved ALUCPs for 15 other airports in San Diego County (six rural, general aviation airports; five urban, general aviation airports; two Marine Corps air installations; one Navy air installation; and one commercial service airport), two of which affected land in the City of Coronado. Parts of the airspace protection boundaries and overflight areas of the San Diego International (SDIA) and Naval Outlying Landing Field Imperial Beach ALUCPs extend over parts of Coronado, as indicated in **Exhibit 3-10** in the Draft EIR. Exhibit 3-10- also depicts parts of the NASNI airspace protection boundary extending over the SDIA and Montgomery-Gibbs Airport Influence Areas. Adoption of the NASNI ALUCP will result in these areas of AIA overlap being subject to the airspace protection and overflight notification policies of the NASNI ALUCP, in addition to the airspace protection and overflight notification policies of the respective ALUCPs. This will not result in significant cumulative impacts for the following reasons:

- The airspace protection policies and standards of the affected ALUCPs are essentially the same, requiring observance of the 14 CFR Part 77 regulations and compliance with the FAA's Obstruction Evaluation/Airport Airspace Analysis process. Those policies and standards do not involve any limitation on the density or intensity of future land uses.
- The overflight notification policies of the affected ALUCPs are the same. Buyers of future housing development in the Airport Influence Areas are to be informed that the property is within an AIA and is subject to potential airport-related effects. The notification policies do not involve any limitation on the density or intensity of future land uses.

7.0 ALTERNATIVES ANALYZED IN THE EIR

A reasonable range of alternatives to the proposed Project that could potentially attain at least some of the objectives of the proposed Project must be described and evaluated under CEQA. Included in this range of alternatives must be the "No Project" alternative. The purpose of the alternatives analysis is to explain potentially feasible ways to avoid or minimize significant impacts caused by the proposed Project.

An alternative may be eliminated from detailed consideration in the Draft EIR if it fails to meet most of the basic project objectives, is infeasible, or is unable to avoid significant environmental impacts.

As discussed in **Sections 5.4.3, 5.5.2, and 5.6.2** of the Final EIR, the ALUC is constrained by the requirement for the ALUCP to be consistent with the noise and safety standards of the Air Installations Compatible Use Zones (AICUZ)¹⁸ and to “be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook...”¹⁹ The statute further explains that “it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook...”²⁰

The alternatives identified and subject to a detailed analysis in **Section 5.0** of the Final EIR are discussed below.

7.1 Alternative 1 – No Project

CEQA requires evaluation of the "No Project" alternative.²¹ Where the project is the "revision of an existing land use or regulatory plan . . . , the 'no project' alternative will be the continuation of the existing plan . . . into the future."²² Because an ALUCP has never been adopted for NASNI, the “No Project” alternative involves the continued applicability of the existing local agency land use planning and regulatory framework.

As discussed in **Section 5.4** of the Draft EIR, all environmental impacts associated with the Proposed Project, as described in the Initial Study²³ and in **Section 4.2.4** of the Draft EIR, would be avoided with the “No Project” alternative. The "No Project" alternative would only partially achieve one of the Project objectives and would fail to achieve the others, as described in **Table 5-2** in the Draft EIR and summarized below:

Objective 1: Promote the compatibility of land uses within noise contours by:

- a) *Limiting new noise-sensitive development within the 65 dB CNEL and higher noise contours to avoid an increase in existing land use incompatibility*

The Noise Element of the Coronado General Plan describes single-family and multiple-family dwellings, schools, churches, libraries, parks and playgrounds as “clearly unacceptable” at noise levels above 75 dB CNEL. Mobile homes, auditoriums, and concert halls are considered “clearly unacceptable” above 70 dB CNEL. Land uses considered “normally unacceptable” include schools, churches, libraries, auditoriums, and concert halls above 60 dB CNEL, single-family and multiple-family dwellings, schools, churches, libraries, parks and playgrounds above 65 dB CNEL, and high-rise residences,

¹⁸ Pub. Util. Code, § 21675(b).

¹⁹ Public Util. Code §21674.7(a).

²⁰ Pub. Util. Code §21674.7(b).

²¹ California Code of Regulations, Title 14, §15126.6(e)(1).

²² California Code of Regulations, Title 14, §15126.6(e)(3)(A).

²³ Appendix A, Naval Air Station North Island Airport Land Use Compatibility Plan CEQA Initial Study, April 2019, Section 4, Environmental Impacts.

hotels, motels, golf courses, and riding stables above 70 dB CNEL.²⁴ No land use regulations implementing these provisions have been adopted by the City of Coronado. Therefore, those noise-sensitive land uses continue to be permitted under current Coronado zoning. Thus, this Project objective would not be satisfied by the “No Project” alternative.

- b) *Ensuring that any new noise-sensitive development within the 65 dB CNEL and higher noise contours meets interior sound level standards*

Although the implementation section of the Noise Element calls for the establishment of building code requirements ensuring adequate sound insulation for uses considered “normally unacceptable” in noise exposure areas,²⁵ no such regulations have been adopted by the City of Coronado. Therefore, this Project objective would not be satisfied by the “No Project” alternative.

Objective 2: Protect public safety by:

- a) *Limiting new risk-sensitive land uses within safety zones*

The Safety Element of the Coronado General Plan includes a policy stating that “the most current ‘Air Installations Compatible Use Zones Study’ ... will be consulted by the City prior to approval of any discretionary land use permit or approval that would modify the use, density, or intensity of development permitted for a property in said Compatible Use Zones.”²⁶ No corresponding land use regulations have been adopted by the City of Coronado. Therefore, this Project objective would not be satisfied by the “No Project” alternative.

- b) *Avoiding an increase in existing land use incompatibility within the safety zones*

See discussion of Safety Element of the Coronado General Plan, 2a) above. This Project objective would also not be satisfied by the “No Project” alternative.

Objective 3: Protect NASNI airspace and the safety of flight by:

- a) *Limiting the height of new structures and objects within the airspace protection boundary per Federal Aviation Administration (FAA) standards*

While the federal Part 77 regulations and state law enforcing FAA airspace determinations²⁷ are in effect, whether or not the Draft ALUCP is adopted, some local agencies are not informing local developers of the FAA’s Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) process. Thus, compliance with the federal regulations in the airspace protection area is less than complete. Without ALUCP policies directing compliance with Part 77, local agencies may not incorporate the OE/AAA process in their

²⁴ *City of Coronado General Plan*, Chapter L, Noise Element, September 17, 1974, April 20, 1999 (Revised), Figure 2.

²⁵ *City of Coronado General Plan*, Chapter L, Noise Element, September 17, 1974, April 20, 1999 (Revised), p. II-L15.

²⁶ *City of Coronado General Plan*, Chapter K, Safety Element, February 15, 2005, p. II-K22.

²⁷ California Public Utilities Code, §§ 21657, 21659(b).

project reviews, potentially resulting in the construction by local developers of potential obstructions and hazards without FAA review. Therefore, this Project objective would not be satisfied by the “No Project” alternative.

b) *Limiting potential hazards to flight within the airspace protection boundary*

As noted above, while the federal Part 77 regulations and state law enforcing FAA airspace determinations²⁸ are in effect, some local agencies are not informing local developers of the FAA’s Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) process. Without ALUCP policies directing compliance with Part 77, local agencies may not incorporate the OE/AAA process into their project reviews, potentially resulting in the construction by local developers of potential obstructions and hazards without FAA review. In addition, other potential hazards to flight would be less likely to be identified, including sources of glare; lighting that can interfere with vision or be confused with airport identification and navigational lighting; dust, water vapor, and smoke; thermal plumes; electromagnetic interference with communications, radar, and navigational signals; and bird attractants. Therefore, this Project objective would not be satisfied by the “No Project” alternative.

Objective 4: *Promote awareness to prospective buyers of new housing regarding the potential effects of aircraft overflights within the AIA*

Without the AIA established in the proposed ALUCP, the buyer awareness measures of the state real estate law would apply to an area within two statute miles of NASNI,²⁹ and within other areas covered by the AIAs for San Diego International Airport, NOLF Imperial Beach, and Brown Field Municipal Airport. These combined areas are considerably smaller than the AIA in the proposed ALUCP. Therefore, this Project objective would only partially satisfy the “No Project” alternative.

Other major shortcomings of the “No Project” alternative include:

- Failure of the ALUC to achieve its statutory mandate to establish an ALUCP for NASNI³⁰
- Failure to reflect the most recent AICUZ study for NASNI in an ALUCP³¹
- Failure to consider the noise compatibility guidance in the 2011 Caltrans Handbook³²
- Failure to consider the safety compatibility guidance in the 2011 Caltrans Handbook³³

²⁸ California Public Utilities Code, §§ 21657, 21659(b).

²⁹ California Civil Code §1102.6a(d).

³⁰ California Public Utilities Code, §§ 21675(a) and (b).

³¹ California Public Utilities Code, § 21675(b).

³² California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, pp. 3-2 –3-5, 3-47 – 3-48, 4-1 – 4-12, 4-46.

³³ California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, pp. 3-11 –3-12, 3-47 – 3-48, 4-15 – 4-34, 4-41 – 4-43.

- Failure to apply guidance from the 2011 Caltrans Handbook for the avoidance of potential hazards to flight³⁴
- Failure to reflect the overflight notification guidance in the 2011 Caltrans Handbook³⁵

In conclusion, the “No Project” alternative would fail to fully meet all of the project objectives identified in **Section 5.3** of the Final EIR and would fail to consider the guidance in the Caltrans Handbook. Most importantly, the “No Project” alternative would fail to comply with state laws mandating the adoption of an ALUCP for NASNI³⁶ and that the ALUCP be consistent with the noise and safety policies of the AICUZ prepared for NASNI.³⁷

Finding: Based on the analysis in Section 5.4 of the Draft EIR, summarized above, the ALUC finds that Alternative 1 would avoid all environmental impacts of the proposed Project. However, Alternative 1 could only partially achieve Objective 4, but would fail to achieve Project Objectives 1, 2, and 3. This alternative would also fail in meeting the legal requirements that the ALUCP be consistent with the noise and safety standards of the AICUZ,³⁸ the ALUC adopt an ALUCP for NASNI,³⁹ and the ALUC be guided by the Caltrans Handbook in preparing the ALUCP.⁴⁰ Therefore, the ALUC finds that adoption of Alternative 1 would be inconsistent with the AICUZ, the intent of the *Handbook*, and ALUC statute and, therefore, is infeasible.

7.2 Alternative 2 – Elimination of Limits on Increases in Density and Intensity in Safety Zones

Alternative 2 was identified during the preparation of the proposed ALUCP policies and standards and based on scoping comments received from the City of Coronado. Alternative 2 would eliminate the limits on increases in existing residential density (number of dwelling units per acre) and existing nonresidential intensity (gross floor area) in the safety zones. Thus, this alternative would enable increases in existing residential density and nonresidential gross floor area up to the maximums allowed under current zoning.⁴¹ This alternative would not change the ALUCP standards limiting the

³⁴ California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, pp. 3-28 –3-36, 3-47 – 3-48, 4-34 – 4-41.

³⁵ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, pp. 3-8 –3-11, 3-47 – 3-48, 4-13 – 4-15.

³⁶ California Public Utilities Code § 21675(a).

³⁷ California Public Utilities Code § 21675(b).

³⁸ California Public Utilities Code § 21675(b).

³⁹ California Public Utilities Code § 21670.3, § 21675.

⁴⁰ California Public Utilities Code § 21674.7.

⁴¹ Changes in General Plan land use designations and rezonings to increase residential density and nonresidential intensity above the maximums allowed under current zoning would continue to be considered incompatible.

development of new, incompatible nonresidential land uses in the safety zones. The noise, airspace, and overflight policies and standards of the proposed ALUCP also would remain unchanged.

This alternative was developed recognizing that most of the displacement impacts attributable to the proposed ALUCP would be caused by the limits on increases in residential density and nonresidential floor area. Thus, Alternative 2 would reduce, but not fully eliminate, the environmental displacement impacts of the proposed ALUCP.

An evaluation of Alternative 2 revealed that it would only partially achieve some of the Project objectives and would fail to achieve others, as described in the Final EIR and summarized below (refer to **Section 5.5** and **Table 5-5** of the Final EIR for greater detail):

Objective 1: Promote the compatibility of land uses within noise contours by:

- a) *Limiting new noise-sensitive development within the 65 dB CNEL and higher noise contours to avoid an increase in existing land use incompatibility*

While implementation of Alternative 2 would limit the development of new incompatible nonresidential land uses in the portion of the 65 dB CNEL contour within the safety zones (just as the proposed ALUCP), it would allow the potential development of up to 36 new residential units in those areas. By failing to limit the increase in land use incompatibility, this alternative would also conflict with the AICUZ and state law which discourages the development of incompatible land uses near airports and advises local agencies to be guided by, among other factors, noise criteria established in the Airport Land Use Planning Handbook.⁴²

- b) *Ensuring that any new noise-sensitive development within the 65 dB CNEL and higher noise contours meets interior sound level standards*

The noise level reduction standards of the proposed ALUCP would be unchanged with Alternative 2.

Objective 2: Protect public safety by:

- a) *Limiting new risk-sensitive land uses within safety zones*

While implementation of Alternative 2 would limit the development of new incompatible nonresidential land uses within the safety zones (just as the proposed ALUCP), the potential development of up to 36 new residential units in those areas would be possible. By failing to limit the increase in land use incompatibility, this alternative would also conflict with the AICUZ and state law which discourages the development of incompatible

⁴² California Public Utilities Code § 21674.7. For guidance relating to the development of ALUCP policies for military airports, see California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, pp. 3-26 – 3-27, 3-47 – 3-48. These portions of the Handbook advise ALUCs to consider AICUZ compatibility criteria as minimum standards. ALUCs are advised to review and revise the AICUZ criteria as necessary to apply to local conditions. ALUCs are also advised to consider setting higher standards.

land uses near airports and advises local agencies to be guided by, among other factors, safety criteria established in the Airport Land Use Planning Handbook.⁴³

- b) *Avoiding an increase in existing land use incompatibility within the safety zones*

While implementation of Alternative 2 would limit the development of new incompatible nonresidential land uses in the safety zones, the potential development of up to 36 new residential units and 41,873 to 63,573 square feet of nonresidential development expansion in those areas would be possible. Given the maximum development intensity permitted in the H-M zoning district (FAR of 1.8), a risk, however remote, of substantially greater development would occur with this alternative. By failing to limit the increase in land use incompatibility, this alternative would also conflict with the AICUZ and state law which discourages the development of incompatible land uses near airports and advises local agencies to be guided by, among other factors, safety criteria established in the Airport Land Use Planning Handbook.⁴⁴

Objective 3: *Protect NASNI airspace and the safety of flight by:*

- a) *Limiting the height of new structures and objects within the airspace protection boundary per FAA standards*

The airspace protection policies and standards of the proposed ALUCP would be unchanged with Alternative 2.

- b) *Limiting potential hazards to flight within the airspace protection boundary*

The flight safety policies and standards of the proposed ALUCP would be unchanged with Alternative 2.

Objective 4: *Promote awareness to prospective buyers of new housing regarding the potential effects of aircraft overflights within the AIA*

The overflight notification policy of the proposed ALUCP would be unchanged with Alternative 2.

Finding: **Based on the analysis in Section 5.5 of the Draft EIR, summarized above, the ALUC finds that Alternative 2 would not avoid or substantially lessen any of the significant impacts of the proposed Project. And, while Alternative 2 would achieve Project Objectives 3 and 4, would partially achieve Objective 1, but would fail to achieve Objective 2, the small reduction in environmental impacts is not great enough to warrant adoption of Alternative 2 in place of the proposed Project. Furthermore, this alternative would fail in meeting the legal requirements that the ALUCP be consistent with the noise and safety standards of the AICUZ⁴⁵ and the ALUC be guided by the noise and safety criteria of the Caltrans Handbook in preparing the**

⁴³ *ibid.*

⁴⁴ *ibid.*

⁴⁵ California Public Utilities Code § 21675(b).

ALUCP.⁴⁶ Therefore, the ALUC finds that adoption of Alternative 2 would be inconsistent with the AICUZ, the intent of the Handbook, and ALUC statute and, therefore, is infeasible.

7.3 Alternative 3 – Application of ALUCP Noise and Safety Standards Only to Parcels Sited Completely Inside Noise Contours or Safety Zones

The boundaries of the proposed ALUCP noise contours and safety zones split many parcels. A proposed ALUCP policy states that new or reconstructed buildings would be subject to the standards of the safety zone and/or noise contour in which the greatest proportion of habitable space of a residential building or gross floor area of a nonresidential building is located.

Alternative 3 would apply the noise and safety standards of each noise contour range and safety zone only to parcels that are sited completely within a given noise contour range and/or safety zone. Parcels that are split by those boundaries would have to comply with the standards of the less restrictive noise contour range or safety zone. Thus, a parcel split by the 70 dB CNEL contour would have to comply with the standards of the 65 to 70 dB CNEL range. Parcels split between APZ I and APZ II would have to comply with the standards of the APZ II safety zone. Parcels that are split by the 65 dB CNEL contour would not be subject to any noise standards. Parcels that are partially inside a safety zone and partially outside any other safety zone would not be subject to any safety standards.

Thirty-six parcels that would be subject to the proposed ALUCP would be exempted from the ALUCP under Alternative 3. These parcels have more than 50 percent of their area within the safety zones or 65 dB CNEL contour, while the remainder of their area lies outside any safety zone or noise contour.

An evaluation of Alternative 3 revealed that it would only partially achieve some of the Project objectives and would fail to achieve others, as described in the Final EIR and summarized below (refer to **Section 5.6** and **Table 5-8** of the Final EIR for greater detail):

Objective 1: Promote the compatibility of land uses within noise contours by:

- a) *Limiting new noise-sensitive development within the 65 dB CNEL and higher noise contours to avoid an increase in existing land use incompatibility*

With Alternative 3, three multiple-family zoned lots within the 65 dB CNEL contour would be removed from APZ I, enabling an additional 2 multiple-family residential units to be developed in those areas compared with the proposed ALUCP. By failing to limit the increase in land use incompatibility, this alternative would also conflict with the AICUZ and state law which discourages the development of incompatible land uses near airports

⁴⁶ California Public Utilities Code § 21674.7. For guidance relating to the development of ALUCP policies for military airports, see California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, pp. 3-26 – 3-27, 3-47 – 3-48. These portions of the Handbook advise ALUCs to consider AICUZ compatibility criteria as minimum standards. ALUCs are advised to review and revise the AICUZ criteria as necessary to apply to local conditions. ALUCs are also advised to consider setting higher standards.

and advises local agencies to be guided by, among other factors, noise criteria established in the Airport Land Use Planning Handbook.⁴⁷

- b) *Ensuring that any new noise-sensitive development within the 65 dB CNEL and higher noise contours meets interior sound level standards*

By effectively removing approximately 14 single-family residential-zoned lots from within the 65 dB CNEL contour, Alternative 3 would increase the number of noise-sensitive land uses that could be expanded without being treated to reduce interior sound levels per the proposed ALUCP, including reconstructed homes and accessory dwelling units. This alternative also implicitly reduces the size of the AICUZ noise contours by removing split parcels from providing the level of sound reduction necessary to attenuate noise in the higher noise contour range. This makes this alternative inconsistent with the standards of the AICUZ and state law, which discourages the development of incompatible land uses near airports and advises local agencies to be guided by, among other factors, noise criteria established in the Airport Land Use Planning Handbook.⁴⁸

Objective 2: Protect public safety by:

- a) *Limiting new risk-sensitive land uses within safety zones*

By effectively removing 22 properties (16 single-family zoned, 3 multiple-family zoned, 2 commercial zoned, and 1 hotel-motel zoned) from the safety zones, Alternative 3 would increase the number of risk-sensitive land uses that could potentially be developed within the safety zones. As indicated in **Table 5-6** of the Final EIR, two additional multiple-family residential units could potentially be developed. As indicated in **Table 5-7** of the Final EIR, an additional 3,280 square feet of leasable area in existing buildings and 31,451 square feet of land area would become available for the development of new incompatible nonresidential land uses. This alternative also implicitly reduces the size of the safety zones by removing split parcels from the need to comply with standards of the more restrictive safety zone. This makes this alternative inconsistent with the standards of the AICUZ and state law, which discourages the development of incompatible land uses near airports and advises local agencies to be guided by, among other factors, safety criteria established in the Airport Land Use Planning Handbook.⁴⁹

- b) *Avoiding an increase in existing land use incompatibility within the safety zones*

By effectively removing 22 properties from the safety zones, Alternative 3 would increase the number of properties, where existing incompatible development could be expanded. An additional 2 new multiple-family residential units and 41,873 to 63,573 square feet of nonresidential development expansion could occur. Given the maximum development intensity permitted in the H-M zoning district (FAR of 1.8), a risk, however remote, of substantially greater development would occur with this alternative. This alternative also implicitly reduces the size of the safety zones by removing split parcels from the need to comply with standards of the more restrictive safety zone, potentially allowing the

⁴⁷ ibid.

⁴⁸ ibid.

⁴⁹ ibid.

development of 2 more multiple-family residential units than the proposed ALUCP. This makes this alternative inconsistent with the standards of the AICUZ and state law, which discourages the development of incompatible land uses near airports and advises local agencies to be guided by, among other factors, safety criteria established in the Airport Land Use Planning Handbook. .⁵⁰

Objective 3: *Protect NASNI airspace and the safety of flight by:*

- a) *Limiting the height of new structures and objects within the airspace protection boundary per FAA standards*

The airspace protection policies and standards of the proposed ALUCP would be unchanged with Alternative 3.

- b) *Limiting potential hazards to flight within the airspace protection boundary*

The flight safety policies and standards of the proposed ALUCP would be unchanged with Alternative 3.

Objective 4: *Promote awareness to prospective buyers of new housing regarding the potential effects of aircraft overflights within the AIA*

The overflight notification policy of the proposed ALUCP would be unchanged with Alternative 3.

Finding: Based on the analysis in Section 5.6 of the Draft EIR, summarized above, the ALUC finds that Alternative 3 would not avoid or substantially lessen any of the significant impacts of the proposed Project, because appreciable quantities of potential displacement would remain in both residential and nonresidential land use categories. And, while Alternative 3 would achieve two of the four Project Objectives (3 and 4), it would fail to achieve Objectives 1 and 2. Furthermore, this alternative would fail in meeting the legal requirements that the ALUCP be consistent with the noise and safety standards of the AICUZ⁵¹ and the ALUC be guided by the Caltrans Handbook in preparing the ALUCP,⁵² Therefore, the ALUC finds that adoption of Alternative 3 would be inconsistent with the AICUZ, the intent of the Caltrans Handbook, and ALUC statute and, therefore, is infeasible.

8.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

⁵⁰ ibid.

⁵¹ California Public Utilities Code § 21675(b).

⁵² California Public Utilities Code § 21674.7. For guidance relating to the development of ALUCP policies for military airports, see California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, pp. 3-26 – 3-27, 3-47 – 3-48. These portions of the Handbook advise ALUCs to consider AICUZ compatibility criteria as minimum standards. ALUCs are advised to review and revise the AICUZ criteria as necessary to apply to local conditions. ALUCs are also advised to consider setting higher standards.

An EIR must discuss any potentially significant effects on the environment that would be irreversible if the proposed project were implemented.⁵³ As discussed in **Section 4.3** of the Draft EIR, the NASNI ALUCP is a land use planning policy document, and no significant irreversible environmental changes would result from its approval and implementation. Specifically, because implementation of the ALUCP will not propose or entail any new development, construction, or changes to the existing land uses or the environment, the proposed Project will not require the commitment or use of any nonrenewable resources. Accordingly, the NASNI ALUCP will not result in significant irreversible environmental changes stemming from the use of nonrenewable resources or the irretrievable commitment of resources.

9.0 GROWTH-INDUCING IMPACTS

An EIR also must discuss the "ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment."⁵⁴ As discussed in **Section 4.4** of the Draft EIR, the NASNI ALUCP does not directly facilitate growth as it does not contain any growth-accommodating features (e.g., infrastructure). Further, the proposed Project does not directly necessitate the construction of growth-accommodating facilities, because the Project, which is a planning policy document, will not directly attract residential and/or non-residential growth.

The NASNI ALUCP may indirectly displace planned land uses from certain areas within the ALUCP Area of Potential Impact, potentially setting in motion a chain of events that could induce growth in areas outside the ALUCP Area of Potential Impact. However, it is entirely speculative whether any such displacement would actually occur at all, given the built-out nature of a stable community of long establishment. There is a range of potential outcomes that could occur with implementation of the proposed ALUCP.

1. The future development potentially displaced from the Area of Potential Impact would never occur with or without implementation of the ALUCP
2. The future development potentially displaced from the Area of Potential Impact would not be replaced – the development would have occurred without implementation of the ALUCP, but would not occur anywhere else with implementation of the ALUCP
3. The future development potentially displaced from the Area of Potential Impact would occur outside the Area of Potential Impact in other parts of the City of Coronado
4. The future development potentially displaced from the Area of Potential Impact would occur elsewhere, scattered throughout the metro area

⁵³ California Public Resources Code, §21100(b)(2)(B); California Code of Regulations, Title 14, §15126.2(c).

⁵⁴ California Code of Regulations, Title 14, §15162.2(d); California Public Resources Code, §21100(b)(5).

5. Various combinations of the four previous outcomes could occur

As explained in **Section 4.4** of the Final EIR, it is not possible to predict how the real estate market, local developers, and property owners would respond to the displacement of potential development from the ALUCP Area of Potential Impact. While some of the displaced development may induce growth in certain areas outside the ALUCP Area of Potential Impact, it is impossible to predict the location and magnitude of such an effect. Any development that would be displaced from the ALUCP Area of Potential Impact would be subject to existing land use plans and regulations that apply outside the ALUCP Area of Potential Impact. Therefore, it can reasonably be concluded that implementation of the proposed ALUCP would result in less than significant growth-inducing impacts, because the development that would be displaced is allowed in other parts of the City of Coronado under existing land use plans and regulations.

10.0 ABSENCE OF SIGNIFICANT NEW INFORMATION

The CEQA Guidelines require a Lead Agency to recirculate an EIR for further review and comment, when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR, but before certification.⁵⁵ New information includes: (i) changes to the project; (ii) changes in the environmental setting; or (iii) additional data or other information.⁵⁶ The CEQA Guidelines further provide that "[n]ew information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."⁵⁷

Here, the Final EIR incorporated a number of changes and revisions to the proposed Project. However, these changes and revisions do not result in any new significant environmental impacts or a substantial increase in the severity of an environmental impact, which cannot be mitigated. In addition, all feasible mitigation measures are included in the MMRP, which is hereby adopted and incorporated into the Project. Therefore, having reviewed the information in the Final EIR, the administrative record, the requirements of the CEQA Guidelines, and applicable judicial authority, the ALUC hereby finds that no new significant information was added to the Draft EIR following public review and thus recirculation of the EIR is not required by CEQA.

11.0 PAYMENT OF FISH AND GAME FILING FEE

As discussed above, an Initial Study was prepared by ALUC staff in order to evaluate the NASNI ALUCP's potential to result in adverse environmental impacts. Based

⁵⁵ California Code of Regulations, Title 14, §15088.5.

⁵⁶ California Code of Regulations, Title 14, §15088.5.

⁵⁷ California Code of Regulations, Title 14, §15088.5.

on the information presented in the Initial Study, and the record as a whole, there is no substantial evidence before the ALUC that the NASNI ALUCP may result in a significant adverse effect on wildlife resources or the habitat on which the wildlife depends. Nevertheless, because an EIR has been prepared for the NASNI ALUCP, the Airport Authority will remit the required filing fees to the San Diego County Clerk at the time of filing the Notice of Determination in compliance with state law.⁵⁸

12.0 MITIGATION MONITORING AND REPORTING PLAN (MMRP)

Pursuant to Public Resources Code section 21081.6, the ALUC is required to adopt an MMRP for the proposed Project in order to ensure compliance with the adopted mitigation measures during project implementation.⁵⁹ The ALUC finds that the impacts of the proposed Project have been mitigated to the extent feasible by the mitigation measures identified in the Final EIR and MMRP. Further, by these findings, the ALUC adopts the MMRP (see Attachment B) that accompanies the Final EIR.

The ALUC reserves the right to make amendments or substitutions to the mitigation measures, if it is determined that the amended or substituted measure will mitigate the identified potential environmental impact to at least the same degree as the original measure, and if the amendment or substitution would not result in a significant new environmental impact that cannot be mitigated.

13.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR for the NASNI ALUCP identified significant and unavoidable impacts to Land Use and Planning that may result from implementation of the proposed Project. These impacts are summarized in the findings above, adopted by the Board of the Airport Authority, acting in its capacity as the ALUC for the County, pursuant to section 15091 of Title 14 of the California Code of Regulations.

CEQA requires the decision-making body to balance the economic, legal, social, technological, or other benefits of a project against its significant and unavoidable impacts when determining whether to approve a project.⁶⁰ If the benefits of a project outweigh the significant and unavoidable impacts, those impacts may be considered acceptable. CEQA also requires the public agency to provide written findings supporting the specific reasons for considering a project acceptable when significant impacts are unavoidable. Such reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record. Those reasons are provided in this Statement of Overriding Considerations.

The Airport Authority finds that the economic, social, and other benefits of the proposed Project outweigh the significant and unavoidable impacts identified in the Final EIR and elsewhere in the record. In making this finding, the Airport Authority has

⁵⁸ California Fish and Game Code, §711.4 (d)(3).

⁵⁹ Also, see California Code of Regulations., Title 14, §15091(e).

⁶⁰ California Code of Regulations, Title 14, §15093.

balanced the benefits of the proposed Project against its significant and unavoidable environmental impacts and has indicated its willingness to accept those impacts in light of the benefits to the community surrounding NASNI and the benefits associated with protecting the long-term viability of NASNI that would stem from Project approval. The Airport Authority further finds that each one of the following benefits of the proposed Project, independent of the other benefits, warrant approval of the proposed Project notwithstanding the significant and unavoidable impacts of the proposed Project:

1. The proposed Project is consistent with the noise and safety standards provided in the 2011 AICUZ study for NASNI. Therefore, adoption of the proposed Project ensures that the Airport Authority complies with existing state law when adopting an ALUCP for NASNI.⁶¹
2. In addition to ensuring that the Airport Authority complies with state law by adopting an ALUCP that is consistent with the AICUZ, the Airport Authority also assists in supporting the Department of Navy's continued operation of NASNI and concurrently protecting public health, safety and welfare and safeguarding the general welfare of the inhabitants within the vicinity of NASNI. In addition, by adopting an ALUCP that is consistent with the AICUZ, the Airport Authority strengthens the AICUZ recommendations of the Department of Navy to ensure the military mission of the air installation as a matter of national security without undue encroachment by incompatible uses that would restrict operations while concurrently protecting the public health, safety, and welfare.
3. The Airport Authority has duly considered the guidance provided in the *California Airport Land Use Planning Handbook*,⁶² published by the Caltrans Division of Aeronautics, as required by law.⁶³ Furthermore, the proposed Project is consistent with the *Handbook* guidance. Therefore, adoption of the proposed Project ensures that the Airport Authority complies with existing state law when adopting an ALUCP for NASNI.
4. The proposed Project will assist the Airport Authority and local agencies (specifically, the cities of Chula Vista, Coronado, Imperial Beach, National City and San Diego, the County of San Diego, and the San Diego Unified Port District) in ensuring that future land use development within the vicinity of NASNI is compatible with the Airport's operations.
5. The proposed Project will enable the Airport Authority to coordinate land use planning at the local level in order to provide for the orderly development of NASNI, while at the same time protecting the public health, safety, and welfare, as required by the State Aeronautics Act.⁶⁴
6. The proposed Project will protect the public health, safety, and general welfare of the inhabitants within the vicinity of NASNI and the public in general by

⁶¹ Pub. Util. Code §21675(b).

⁶² California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, 2011.

⁶³ Pub. Util. Code, §21674.7(a).

⁶⁴ Public Util. Code, §21670(a).

establishing land use measures that minimize the public's exposure to excessive noise and safety hazards to the extent that these areas are not already devoted to incompatible uses. This is of particular importance with respect to the policies and standards related to the future development of noise-sensitive land uses and other land uses posing safety concerns (e.g., facilities serving people with low effective mobility) near NASNI.

7. The proposed Project will promote the continued operation of NASNI, to the extent that the aeronautical activities otherwise could be impacted by adjacent land use development, in accordance with its mission and operational capabilities.

The Airport Authority hereby finds that each of the reasons stated above constitutes a separate and independent basis of justification for the Statement of Overriding Considerations, and each is able to independently support the Statement of Overriding Considerations and override the significant and unavoidable environmental effects of the proposed Project. In addition, each reason is independently supported by substantial evidence contained in the administrative record.

14.0 CUSTODIAN OF RECORD

Public Resources Code section 21081.6, subdivision (a)(2), requires the Lead Agency (*i.e.*, the Airport Authority, acting in its capacity as the ALUC) to specify the location and custodian of the documents or other material that constitute the record of proceedings, upon which the decision is based.⁶⁵

The custodian of the record for the proposed Project is the Airport Authority. The documents constituting the record are available to the public during ordinary business hours at the Airport Authority's offices, which are located at 3225 North Harbor Drive, San Diego, California 92101.

⁶⁵ Also, see California Code of Regulations, Title 14, §15091(e).

14.0 CUSTODIAN OF RECORD

Public Resources Code section 21081.6, subdivision (a)(2), requires the Lead Agency (*i.e.*, the Airport Authority, acting in its capacity as the ALUC) to specify the location and custodian of the documents or other material that constitute the record of proceedings, upon which the decision is based.⁶⁵

The custodian of the record for the proposed Project is the Airport Authority. The documents constituting the record are available to the public during ordinary business hours at the Airport Authority's offices, which are located at 3225 North Harbor Drive, San Diego, California 92101.

⁶⁵ Also, see California Code of Regulations, Title 14, §15091(e).

ATTACHMENT B

MITIGATION MONITORING AND REPORTING PROGRAM NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLAN

AUTHORITY

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to Section 21081.6 of the California Public Resources Code in order to provide for the monitoring of mitigation measures required for the proposed Naval Air Station North Island (NASNI) Airport Land Use Compatibility Plan (ALUCP), as set forth in the Final Environmental Impact Report (EIR) prepared for the proposed ALUCP.¹ (The Final EIR consists of the Draft EIR (December 2019), Final EIR (September 2020).)

Concurrent with certification of the Final EIR, the MMRP will be adopted by the San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County and the lead agency for the proposed ALUCP. The MMRP will be kept on file in the offices of the Airport Authority, located at 3225 North Harbor Drive, San Diego, California 92101.

MONITORING REQUIREMENTS

The Airport Authority will be responsible for ensuring compliance with the MMRP to the extent it is able. Importantly, as noted in the Final EIR, implementation of the mitigation measures on pages 4-48 and 4-49 of the Draft EIR are within the responsibility and jurisdiction of the City of Coronado, rather than the Airport Authority. The City may elect not to implement the mitigation measures identified by the Airport Authority. In that instance, the impacts to Land Use and Planning identified and analyzed in the Final EIR would remain significant and unavoidable.

Although the Airport Authority does not have the capacity to require implementation of these mitigation measures, it will collaborate with the City of Coronado in implementing the mitigation measures, if the City requests the assistance of the Airport Authority. Specifically, the Airport Authority, acting in its capacity as the ALUC, will coordinate with the City to facilitate its efforts to make its Zoning Code consistent with the proposed ALUCP. The Airport Authority will also coordinate with the City of Coronado, if the City chooses to amend its General Plan and any specific plans to reflect policies, standards, and guidelines in the ALUCP.²

REPORTING REQUIREMENTS, AND CHANGES TO MITIGATION MEASURES

Any substantive change(s) in the MMRP made by the Airport Authority shall be recorded in writing. Reference to such change(s) shall be made in the Mitigation Monitoring Report

¹ Also, see California Code of Regulations, Title 14, §15097.

² The City's General Plan and specific plans do not conflict with the NASNI ALUCP and do not require amendment. Amendments may be helpful, however, by incorporating ALUCP policy guidance into the General Plan, thus providing a local policy basis for the required zoning amendments.

prepared by the Airport Authority no earlier than one hundred eighty (180) days following approval of the proposed ALUCP.

Modifications to the mitigation measures may be made by the Airport Authority subject to one of the following findings, documented by evidence in the record:

- (a) The mitigation measure included in the Final EIR and the MMRP is no longer required because the significant environmental impact identified in the Final EIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the ALUCP, changes in conditions of the environment, or other factors.

OR

- (b) The modified or substitute mitigation measure to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the Final EIR and the MMRP; and

The modified or substitute mitigation measure does not have significant adverse effects on the environment in addition to or greater than those that were considered by the Airport Authority in its decisions on the Final EIR and the proposed ALUCP; and

The modified or substitute mitigation measure is feasible, and the affected Airport Authority, through measures included in the MMRP or its procedures, can assure its implementation.

SUPPORT DOCUMENTATION

Findings and related documentation supporting the modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

FORMAT OF MITIGATION MONITORING MATRIX

The following matrix identifies the environmental issue areas for which mitigation is required, the required mitigation measures, the time frame for monitoring, and the responsible monitoring agencies.

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
NASNI ALUCP, MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	TIME FRAME/ MONITORING MILESTONE	RESPONSIBLE MONITORING PARTY
LAND USE AND PLANNING		
1 Following adoption of the NASNI ALUCP, the City of Coronado can and should amend its land use regulations to achieve consistency with the NASNI ALUCP.	Within 180 Days of ALUCP Adoption	City of Coronado
2 Following adoption of the NASNI ALUCP, the City of Coronado can and should amend its General Plan, relevant specific plans, and Zoning Code to increase the allowable residential density or nonresidential development intensity (e.g., floor area ratios) in selected areas outside the ALUCP safety zones to compensate for the future development displaced from the safety zones.	Within 180 Days of ALUCP Adoption	City of Coronado
NOTE: Potential mitigation measures are discussed in the third paragraph of Section 4.2.5 of the Draft EIR (pages 4-48 and 4-49).		

RESOLUTION NO. 2020-0002 ALUC

A RESOLUTION OF THE AIRPORT LAND USE
COMMISSION FOR SAN DIEGO COUNTY,
ADOPTING THE AIRPORT LAND USE
COMPATIBILITY PLAN FOR NAVAL AIR STATION
NORTH ISLAND

WHEREAS, the San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, is required to prepare and adopt an Airport Land Use Compatibility Plan (ALUCP) for Naval Air Station North Island (NASNI) (see Pub. Util. Code, §21670.3(a); 21675(b)); and

WHEREAS, the ALUC is required to prepare and adopt an ALUCP for each public-use and military airport and the areas surrounding such airport within its jurisdiction in order to provide for the orderly growth of that airport and safeguard the general welfare of the public (Pub. Util. Code, §§21674(c); 21675(b)); and

WHEREAS, ALUCPs are the fundamental tool used by ALUCs in fulfilling their purpose of promoting airport land use compatibility; and

WHEREAS, the ALUC is required to be guided by the *California Airport Land Use Planning Handbook*, State of California, Department of Transportation Division of Aeronautics (Caltrans *Handbook*) in preparing ALUCPs (Pub. Util. Code, §21674.7(a)); and

WHEREAS, an Air Installations Compatible Use Zones (AICUZ) study update for Naval Air Station North Island (NASNI) was completed in 2011, intended to serve as a guide for the review and update of the community plans and general plans for the City of Coronado in order to protect the health, safety and welfare of those living near a military airfield while preserving the operational capability of the airfield; and

WHEREAS, ALUCPs for military airports are required to be “consistent with the safety and noise standards” in the AICUZ prepared for that airport (Pub. Util. Code §21675(b)); and

WHEREAS, the ALUC, the lead agency for the NASNI ALUCP, also prepared and circulated an Environmental Impact Report (EIR) for the proposed ALUCP in accordance with the requirements of the California Environmental Quality Act (CEQA), which is set forth in the Public Resources Code, section 21000 et seq.), and the State CEQA Guidelines (CEQA Guidelines), which are set forth in the California Code of Regulations, Title 14, section 15000 et seq., and the Airport Authority's own CEQA Procedures; and

WHEREAS, the ALUC held a scoping meeting on May 6, 2019, in order to provide additional opportunity for public comment on the proposed ALUCP; and

WHEREAS, the ALUC provided the public the opportunity to comment on the proposed NASNI ALUCP for sixty-two (62) days, beginning on December 19, 2019, and concluding on February 18, 2020; and

WHEREAS, the ALUC provided notice of the opportunity to comment on the proposed ALUCP to interested individuals, organizations, agencies, and the affected local agencies (i.e., the cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego; the County of San Diego; and the San Diego Unified Port District); and

WHEREAS, the ALUC received fifty five (55) written public comments on the NASNI ALUCP from state/local agencies, organizations and individuals; and

WHEREAS, the ALUC staff prepared detailed individual responses to each of the comment letters received on the Draft EIR, as well as eighteen (18) topical responses for areas addressed in a number of the comment letters received on the Draft EIR; and

WHEREAS, the ALUC also made minor changes to the proposed ALUCP to provide clarifying information related to definitions, exemptions from ALUC review, ALUC review details, local agency ALUCP implementation options, and ALUC project submission requirements; and

WHEREAS, on August 20, 2020, the ALUC made available to the public: (i) minor revisions to the proposed ALUCP (as necessary and/or in response to comments received) depicted in redline/strikeout, (ii) comments received during the public comment period that were bracketed by issue, and (iii) responses to public comments on the ALUCP; and

WHEREAS, in conjunction with extensive public outreach, community involvement and collaboration efforts between the ALUC, NASNI Working Group, affected local agencies and the general public, the ALUC has prepared an ALUCP for NASNI that is consistent with the overall objectives of the State Aeronautics Act, consistent with the noise and safety policies in the 2011 NASNI AICUZ study, and the guidance provided by the Caltrans *Handbook*; and

WHEREAS, State statutes require that, once an airport land use commission has adopted or amended an ALUCP, general plans and any applicable specific plans be amended, as necessary, in order to be consistent with the ALUCP (Government Code §65302.3(a)-(b)). Alternatively, local agencies have the option of taking the special steps necessary to overrule all or part of the ALUCP; and

WHEREAS, the ALUC finds that local plan(s) that do not meet the compatibility and review criteria included in the NASNI ALUCP are inconsistent with the NASNI ALUCP; and

WHEREAS, the Caltrans Handbook states that the onus for revising a local plan to be consistent with an ALUCP plan rests with the local agency. And, local agencies still must go through the steps of submitting the specific policy language, maps, and other plan components to the ALUC for formal review and approval; and

WHEREAS, the ALUC held a duly noticed public hearing on October 1, 2020, to receive and consider public testimony with respect to the NASNI ALUCP and the completeness and adequacy of the Final EIR for the proposed ALUCP; and

WHEREAS, the ALUC has reviewed all of the CEQA documentation for the NASNI ALUCP and determined that, on the basis of the whole record before it, there is substantial evidence that the proposed ALUCP will have a significant and unavoidable impact on Land Use and Planning; this impact is acceptable in light of the benefits identified in the Statement of Overriding Considerations; the Final EIR reflects the ALUC's independent judgment and analysis; and, the Final EIR is complete, adequate and fully complies with all requirements of CEQA, the State CEQA Guidelines and the Airport Authority's CEQA Procedures; and

WHEREAS, on October 1, 2020, the ALUC approved Resolution No. 2020-0001 ALUC certifying the Final EIR prepared for the NASNI ALUCP on the basis of the findings summarized above and more extensively detailed in Resolution No. 2020-0001.

NOW, THEREFORE, BE IT RESOLVED that the ALUC hereby approves and adopts for implementation the Airport Land Use Compatibility Plan for Naval Air Station North Island; and

BE IT FURTHER RESOLVED by the ALUC that it finds that this ALUC action is not a "development" as defined by the California Coastal Act (Pub. Res. Code §30106).

PASSED, ADOPTED, AND APPROVED by the Airport Land Use Commission for San Diego County at a regular meeting this 1st day of October 2020, 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

Certification of an Environmental Impact Report for the Naval Air Station North Island - Airport Land Use Compatibility Plan and Adoption of the Naval Air Station North Island - Airport Land Use Compatibility Plan

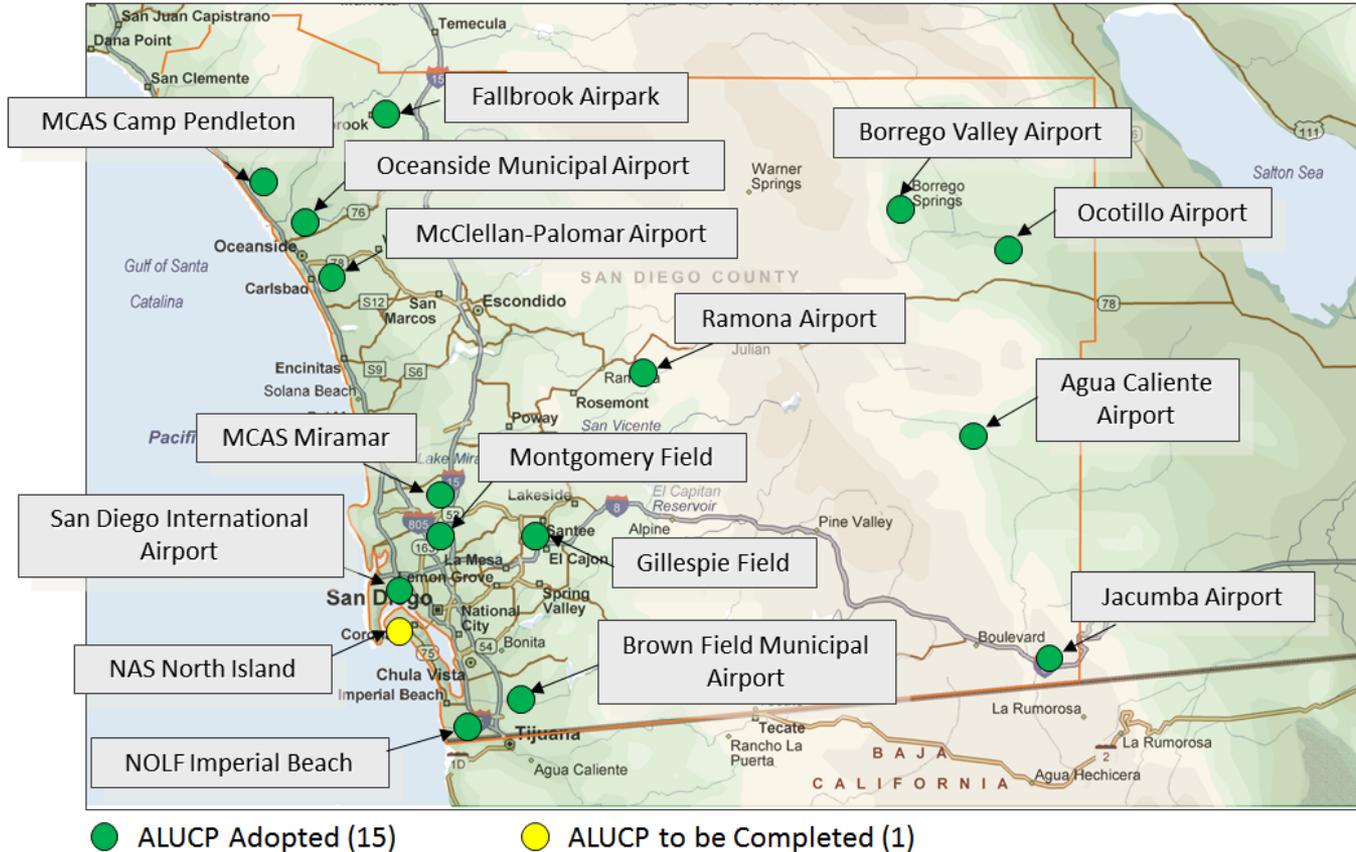
October 1, 2020

Presented by:

Ralph Redman

Manager, Planning & Environmental Affairs

ALUCP Adoption Status



ALUC Must Prepare an Airport Land Use Compatibility Plan (ALUCP)*

“...[T]hat will provide for the **orderly growth** of each public airport and the area surrounding the airport within the jurisdiction of the commission, and will **safeguard the general welfare** of the inhabitants within the vicinity of the airport and the public in general...”

...[T]hat shall include, within its airport land use compatibility plan formulated pursuant to subdivision (a), the area within the jurisdiction of the commission surrounding any **military** airport...”

* California Public Utilities Code, § 21675(a), (b).

ALUCP Overview

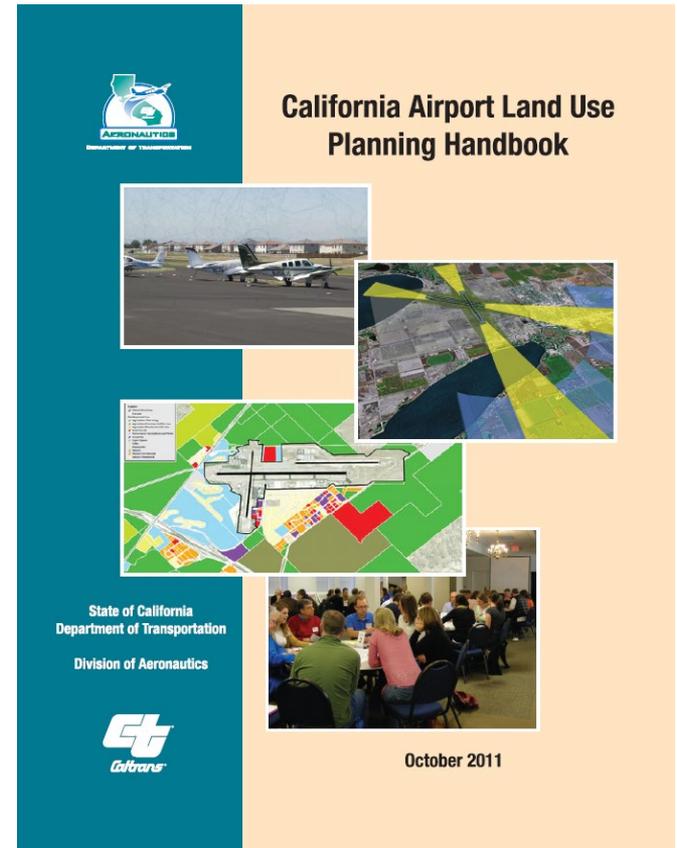
AIRPORT
LAND USE
COMMISSION



Role of Caltrans *Handbook*

- An ALUC that prepares an ALUCP “shall be guided by information [in] the [Caltrans] *Airport Land Use Planning Handbook*.”

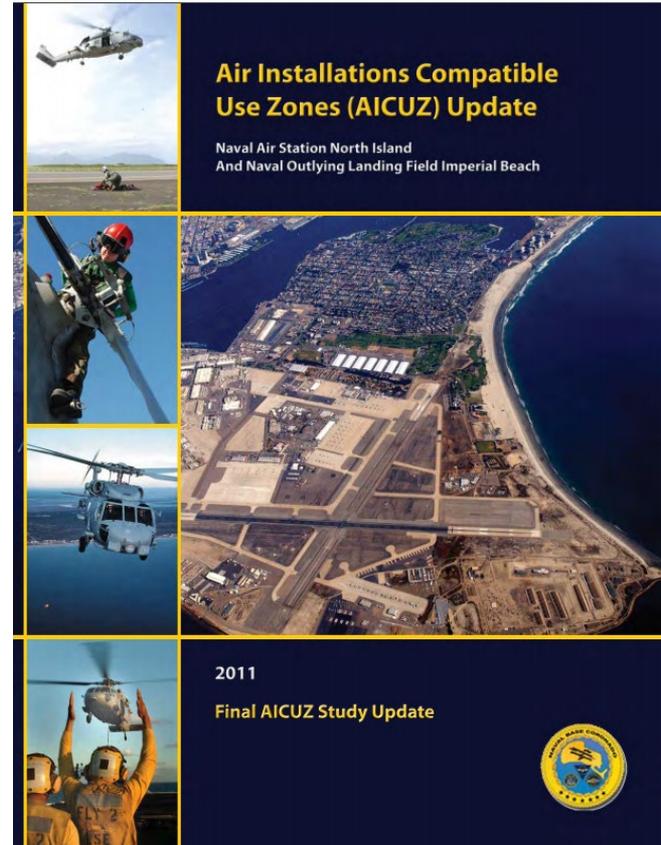
[California Public Utilities Code §21674.7(a)]



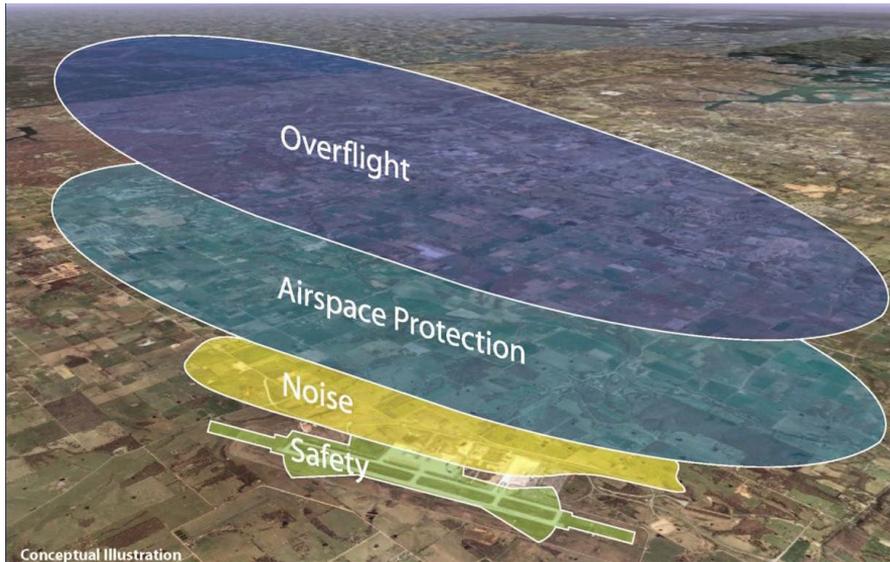
Role of AICUZ

- ALUCPs “shall be consistent with the safety and noise standards in the Air Installations Compatible Use Zones (AICUZ) study prepared for that military airport.”

PUC §21675(b)



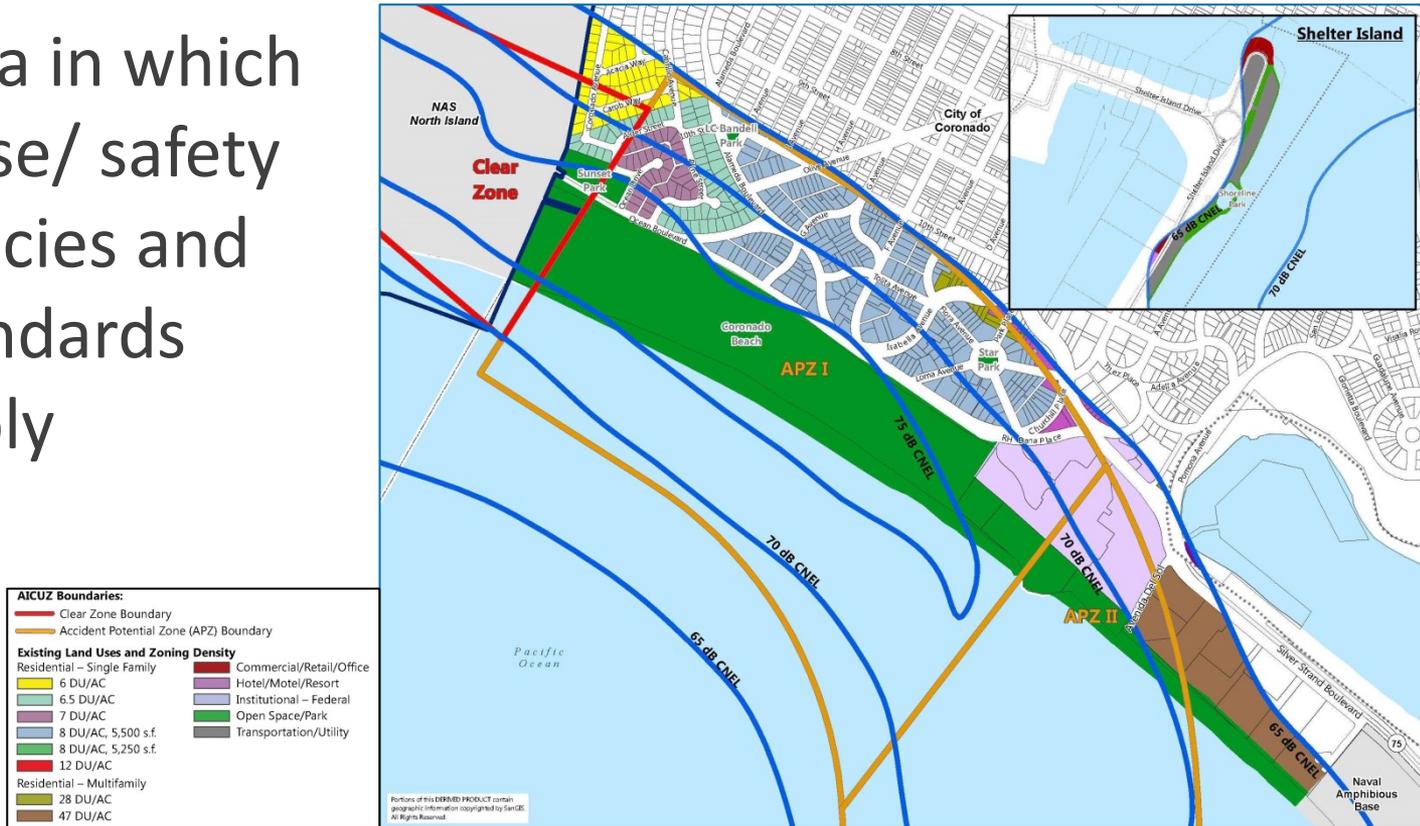
Four Components of an ALUCP



- 1 **Safety** - policies address potential risk of an aircraft accident
- 2 **Noise** - policies address potential noise-sensitive land uses
- 3 **Airspace Protection** - policies address potential hazards to flight
- 4 **Overflight** - policies address notice to owners of new homes in flight paths

Noise & Safety Compatibility

- Area in which noise/ safety policies and standards apply



Noise & Safety Compatibility Standards

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 dB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
10	Residences and Lodging					
111	Single-Family including accessory dwelling units; Supportive housing; Transitional housing	45	45	45	45	CZ, APZ I/II: One dwelling unit per legal lot of record at the time of ALUCP adoption, in addition to an accessory dwelling unit All Zones: For new or reconstructed or expanded portions of buildings, interior noise must perform to sound level indicated.
60	Services					
61, 62, 63, 65, 67, 69	Office: Finance, insurance, real estate, medical/dental; Services: Personal/professional/government; Research & Development		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
6242, 637, 64, 66	Cemetery; Warehousing/storage (not including hazardous materials); Repair, including auto, electronics, furniture; Contract construction services		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for public reception and office areas of new or reconstructed portions of buildings within the 70+ dB

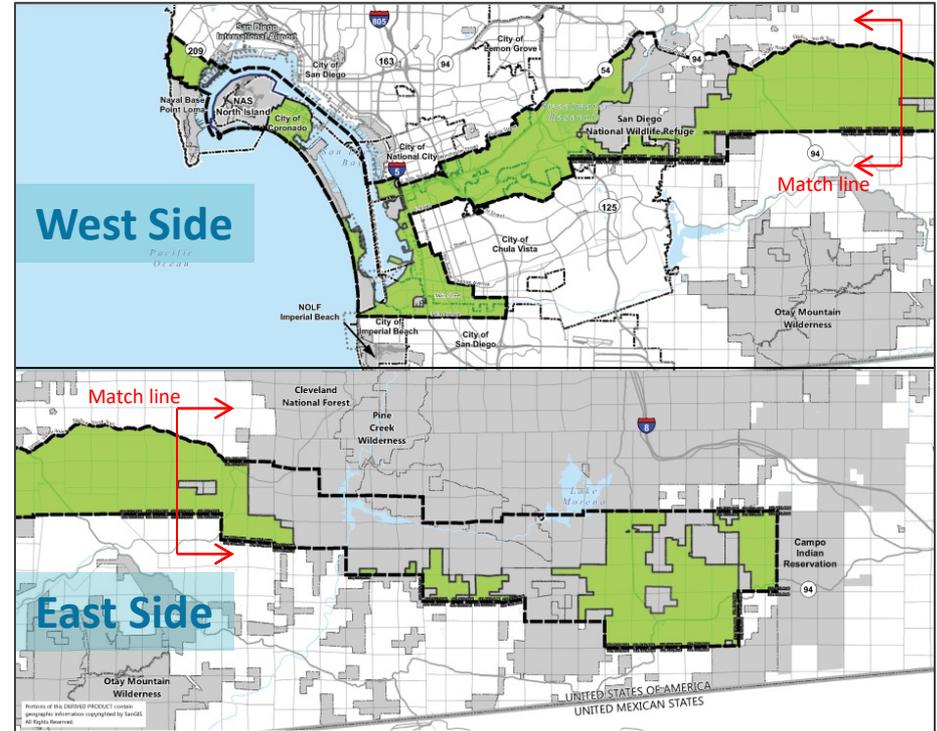
Airspace Compatibility

- Compliance with Federal law – FAA 7460 process
- Land use projects determined to be hazards by the FAA are incompatible
- Hazards to flight are incompatible
 - Glare
 - Thermal Plumes
 - Certain lighting
 - Signal interference
 - Dust, water vapor, smoke
 - Bird attractants

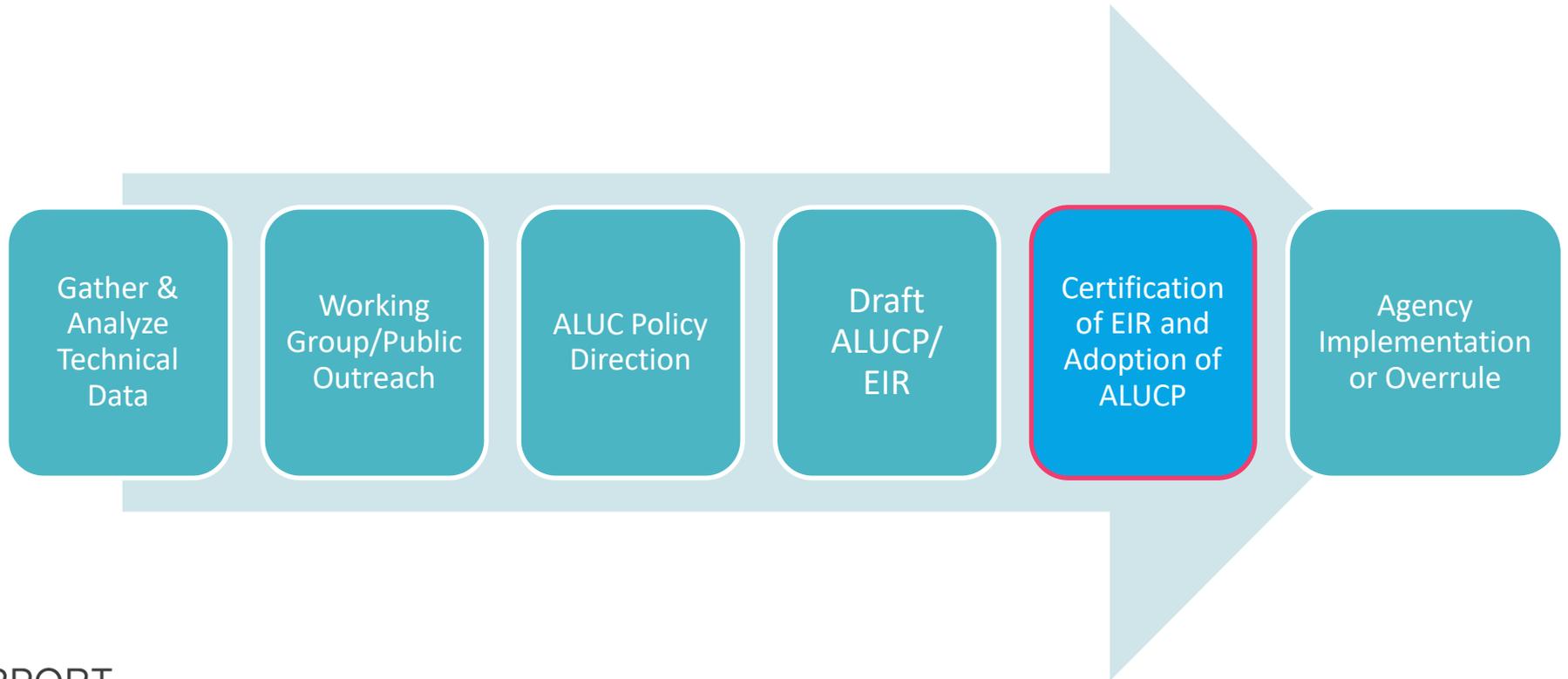


Overflight

- For new or totally reconstructed residences, local agencies should provide a means to notify owners of potential for aircraft overflight



NASNI ALUCP Process



Public Input/Outreach Process

Meeting Type	Quantity	Time Period
Working Group	12	March 2016 – Aug. 2017
Community Meetings	11	March 2016 – May 2019
City of Coronado Staff Coordination Meetings/Briefings	19	Sept. 2015 – Jan. 2019
Hotel del Coronado Coordination Meetings	6	Feb. 2016 – June 2017
Elected Official Briefings	14	Jan. 2016 – August 2020

Public Input/Outreach Strategy

- Majority of Working Group membership held by local community members (14 seats)
- All community meetings held in City of Coronado
- Meeting notices included advertisements and direct mailings



Working Group Input on ALUCP

In response to feedback, the following actions were considered compatible:

- Expansion/reconstruction of residences in safety zones or construction of new homes on existing legal lots
- New accessory dwelling units in safety zones
- Expansion/reconstruction of residences in the 65+ dB CNEL contour
- Changes to existing commercial uses that do not increase the level of incompatibility
- Development to be exempt from noise and safety policies if less than 50% of structure located within a noise contour or safety zone

How Local Agencies are Affected

After ALUCP adoption, agency must:

Refer

- Refer all development projects to ALUC

Amend

- Amend land use plans and regulations to be consistent with ALUCP; or

or

Overrule

- Overrule all or part of ALUCP

Environmental Impact Report Overview

AIRPORT
LAND USE
COMMISSION



EIR Timeline



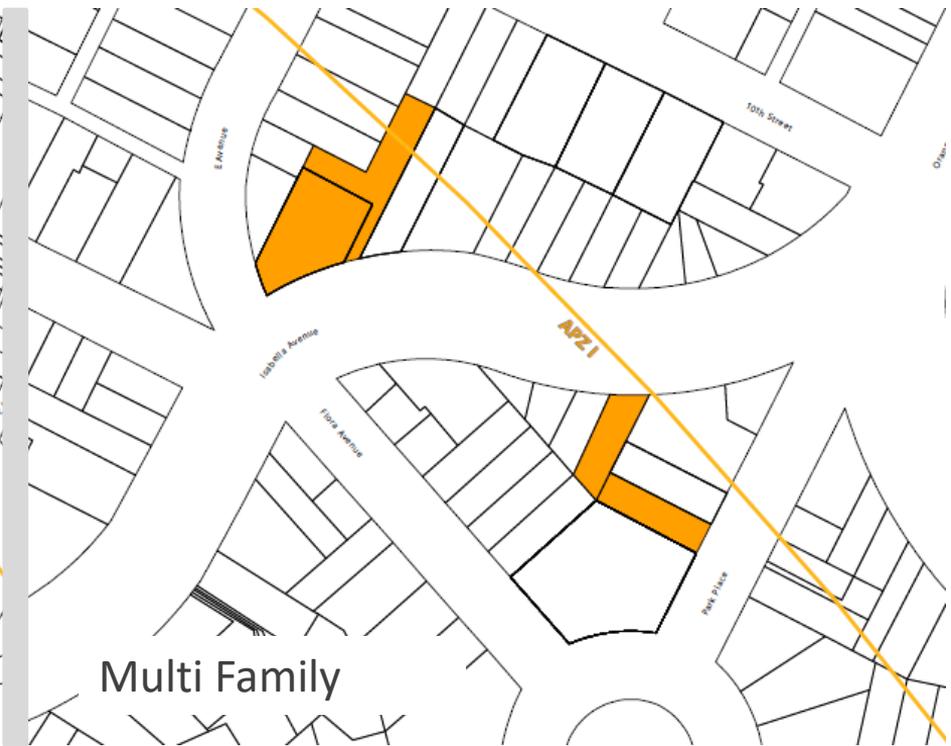
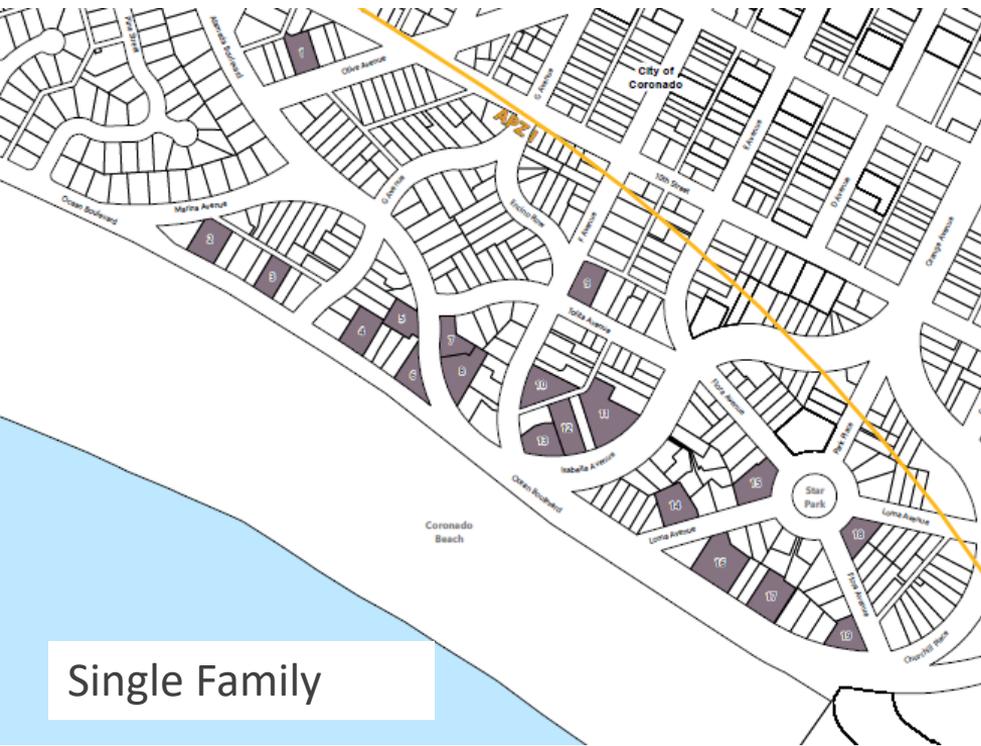
EIR Findings

The proposed ALUCP's policies and standards would potentially limit future development within the ALUCP Safety Zones in the following ways:

1. Limiting increases in the density of residential development
2. Limiting increases in the intensity of nonresidential development
3. Designating new development of certain land uses as incompatible

POTENTIAL DEVELOPMENT DISPLACEMENT WITH ALUCP		
LAND USE	DWELLING UNITS	EXPANDED GROSS FLOOR AREA (SQ FT)
Single-Family Residential	28	–
Multiple-Family Residential	8	–
Commercial	–	3,850 to 25,550
Hotel/Resort	–	38,023
Totals	36	41,873 to 63,573

Potential Impacts



Potential Impacts



Potential Impacts



Project Objectives

1 - Promote the compatibility of land uses within noise contours

- Limit new noise-sensitive development within the 65+ dB CNEL noise contour
- Ensure that new noise-sensitive development within the 65+ dB CNEL meets interior sound level standards

2 - Protect public safety

- Limit new risk-sensitive land uses within safety zones
- Avoid increases in existing land use incompatibility within the safety zones

3 – Protect airspace and the safety of flight

- Limit height of new structures and objects within the airspace protection boundary per FAA standards
- Limit potential hazards to flight within the airspace protection boundary

4 - Promote awareness of potential effects of aircraft overflights

EIR Alternatives Evaluation

Alt. 1- No Project

- Objective 1 ❌
- Objective 2 ❌
- Objective 3 ❌
- Objective 4 -partially

Summary – Alt. 1 fails to meet project objectives and to comply with state laws mandating the adoption of an ALUCP for NASNI

Alt. 2 – Elimination of Density/Intensity Limits in Safety Zones

- Objective 1 - partially
- Objective 2 ❌
- Objective 3 ✅
- Objective 4 ✅

Summary – Alt. 2 fails to limit the increase in land use incompatibility by allowing for increases in density/intensity within the safety zones beyond existing conditions

Alt. 3 – Application of Noise/Safety Standards to Parcels Sited Completely Inside Zones

- Objective 1 ❌
- Objective 2 ❌
- Objective 3 ✅
- Objective 4 ✅

Summary – Alt. 3 would fail to meet project objectives 1 and 2 and would not meet the requirements of following the noise and safety standards of the AICUZ

Preferred Alternative (Draft ALUCP)

- Objective 1 ✅
- Objective 2 ✅
- Objective 3 ✅
- Objective 4 ✅

Summary – Alternative meets all project objectives

Significant and Unavoidable Impacts

- Significant and unavoidable impacts to:
 - Maximum potential displacement of future nonresidential development in Hotel-Motel zoning district – 38,023 sf (assuming buildout of Hotel del Coronado Master Plan)
 - 52% of all H-M-zoned land in Coronado is in ALUCP safety zones
- Assist local agencies with mitigation and implementation of the ALUCP

Statement of Overriding Considerations

The ALUCP provides for the orderly development of NASNI, while protecting the public health, safety and welfare, as required by the State Aeronautics Act. The ALUCP

- is consistent with the 2011 AICUZ noise and safety standards and Caltrans *Handbook* guidance;
- ensures that future land use development within the vicinity of NASNI is compatible with the Airport's operations;
- establishes land use measures that minimize the public's exposure to excessive noise and safety hazards; and
- secures the continued operation of NASNI, to the extent that the aeronautical activities otherwise could be impacted by adjacent land use development.

Response to New Comments

- Economic Impact Assessment
 - Assessment based on misunderstanding of ALUCP policies, overstating impact
 - Not required under CEQA
- Resumption of Discontinued Use
 - 24-month period is consistent with other ALUCPs and Coronado Zoning
 - One affected use: place of religious assembly
- Regional Housing Needs Assessment (RHNA)
 - Addressed in FEIR, which acknowledges potential cumulative impact
 - Full analysis not possible without Coronado's implementation plan

Response to New Comments

- Meaningful Response to City Comments
 - FEIR addresses City ALUCP/EIR comments, pages 11 – 101 (91 pages)
- Adherence to AICUZ
 - Addressed in FEIR and responses to comments
 - By law, ALUC must use the AICUZ; Navy has no plans to update
- New Alternatives
 - Suggestions are variants of EIR alternatives or clearly infeasible

Response to New Comments

- Modify NASNI Operations/Facilities to Reduce Impacts
 - Addressed in FEIR
 - Outside ALUC's authority
- Navy Environmental Assessment (EA) for CMV-22B Osprey Transition
 - Addressed in FEIR
 - EA and FONSI conclusion: update of AICUZ is not needed



Staff Recommendation

Staff recommends that the Airport Land Use Commission:

1. Adopt Resolution No. 2020-0001 certifying the Final Environmental Impact Report for the NASNI ALUCP and adopting CEQA Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program.
2. Adopt Resolution No. 2020-0002 adopting the NASNI ALUCP.



Questions?

Revised 9.30.20

ITEMS 3 & 4

**COMMUNICATION
FROM PUBLIC**

From: clerk@san.org <clerk@san.org>
Sent: Wednesday, September 16, 2020 9:44 AM
To: SDCRAA clerk <clerk@san.org>
Cc: geofos1@hotmail.com
Subject: Public Comment Form - [Subject]

Public Comment Form

Email:: geofos1@hotmail.com

Meeting Date:: 9/29/2020

The agenda item that you would like to speak on:: I will not be on the telephone speaking as I am hard of hearing. However, my wife and I and our neighbors are totally disturbed by low flying aircraft over our residential homes. This flight path at this time is disrupting our peace and well being. It is totally inconsiderate and cruel of the Navy. This flight pattern needs to be over the ocean where it would be easier on the public. Please give this matter serious consideration. A change would be very much appreciated by everyone affected at this time.

I am speaking in () of this item::

First Name:: George

Last Name:: Foster

City of Residence:: Coronado

Address (Optional):

Phone:: 619 435-7997

Are you a registered lobbyist with the Authority?: No

From: Diana Greenspan <dianagreenspan2011@gmail.com>

Sent: Tuesday, September 15, 2020 11:08 AM

To: SDCRAA clerk <clerk@san.org>

Subject: Airport Authority Plan

Attention: Mr. Ralph Redman

My husband and I strongly disapprove of your plan to increase noise levels over the residential areas in Coronado. This plan will increase noise levels over our property and make it difficult to continue our life as normal. There must be a better way to route the planes coming in and out of San Diego Airport. This plan will not only affect property values, but affect the quality of life for our residents and our visitors! Our community is very dependent on tourism for our tax base and to support our local businesses!

Please do not adopt this plan! There MUST be a better way! This will hurt the entire community of San Diego!

Please STOP this Plan!

Diana and Jerry Greenspan
1125 Star Park Circle
Coronado, Ca. 92118

From: Deborah Roberts <Deborah@luckyyougifts.com>
Sent: Sunday, September 27, 2020 3:23 PM
To: SDCRAA clerk <clerk@san.org>
Subject: Public comment on Coronado ALUCP / EIR

To Whom It May Concern,

I own a residential property that would be negatively affected by your proposed plans and I object to your requirements for homeowners to be responsible for the increased costs of sound proofing to remodeled or reconstructed homes to your standards for the airport. I also object to limitations of any sort on the rights of property owners to develop their homes.

My home is one of the single greatest financial investments I have made. I did so many years ago before this use of North Island was ever suggested. Limiting height, density or allowed uses negatively impacts the potential of my investment.

It seems fair to me that home owners who purchased their properties prior to this proposed change in use to North Island be grand-fathered in and have any additional costs incurred by the required for alterations paid for by the Airport Authority and not their own hard-earned money.

There is no benefit to the residents of Coronado in this zone from the proposed project. There should be no financial penalty to these residents either.

Lastly, on paper this project might look good to planners. The reality I believe will be very different. There is heavy traffic in this city that has not been able to be addressed adequately and has grown much worse over time. With only two routes into and out of the city, when there is an accident or a suicide attempt on the bridge, flights are missed. I have experienced this myself. Driving the Strand is an alternate route, but when the bridge is closed, the traffic through Imperial Beach is backed up for miles in both directions.

It's a shame the land adjacent to the airport was not developed years ago when parts of MCRD were given up by the military. That would have made sense. This project is going to cause access issues to the airport for travelers and compound traffic already much heavier than the city of Coronado was designed to accommodate.

I hope that you will take more time and find an alternative location. In the end, all interested parties will be better off not having this project continue to be developed at this location.

Sincerely,
Deborah Roberts

Deborah Roberts | President | Lucky You
p: 619.450.6700 x 303 | www.LuckyYouGifts.com

From: Jon Palmieri <Jon@JonPalmieri.com>
Sent: Tuesday, September 29, 2020 6:01 AM
To: SDCRAA clerk <clerk@san.org>
Subject: ALUCP Final EIR - Questions

1. Why would adding a second story to a home surrounded by other homes with second stories impose more risk to aircraft or homeowners? Coronado building codes already limit the height to the same as those of neighboring homes.
2. If the dangers are so great to those living in the crash zones, why would the plan not include condemning existing homes. Are the lives of anyone living in an expanded home in the future more valuable than those currently residing in neighboring homes?
3. If the dangers are so great in even the farthest ends of the crash zones that the Authority is willing to potentially financially ruin many homeowners due to diminished property values, then what about the tens of thousands of beach goers that are directly below the flight path from sun up to sunset for hundreds of days per year? Are their lives not valuable too?
4. Homeowners purchasing a home in Coronado are currently provided with information about the dangers and nuisance of living near NAS North Island, prior to closing. If the risks of a crash are so great as to impose these life-altering restrictions to homeowners who purchased their homes under current rules, then why not require someone visiting the Island be provided with the same?
5. In Little Italy, they recently completed a number of multi (5+) story hotels and apartments, much closer to the path of arriving aircraft into SAN. Given the number of incoming flights daily into SAN is multiple times greater than NAS North Island, how is not allowing a second story in Coronado consistent with mitigating risk of life? How do you explain that to someone losing most of their life savings as a result of these changes?

Thank you.

Jon A. Palmieri
1107 F Avenue
Coronado, CA 92118
(619)400-7583

From: Cara Clancy <cara@caraclancy.com>
Sent: Tuesday, September 29, 2020 5:36 AM
To: SDCRAA clerk <clerk@san.org>
Subject: ALUCP Final EIR Documents - Questions

- If adopted what would be the implementation date?
- if adopted how would this effect homes in various stages of construction, but not completed?
- If adopted would the Airport Authority be paying for sound attenuation measures impacted by their plan?

Thank you.

Cara Clancy

1014 F Avenue, Coronado

(619)400-9360

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

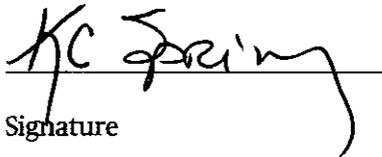
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,


Signature

Kc Spring
Print Name

1105 Pine St.
Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,

Betty Reynolds

Signature

Betty Reynolds

Print Name

1020 Pine St.

Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,

Ann Sonne

Signature

Ann Sonne

Print Name

1107 Pine St
Coronado, CA

Address

92118

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,



Signature

Brenda Arnold

Print Name

1041 Pine Street

Address

92118

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

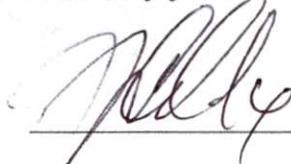
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,



Signature

Thomas Arnold

Print Name

1041 Pine St
Coronado, CA
92118

Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

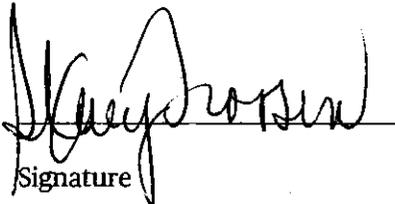
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,


Signature

STACY TROSSEN
Print Name

11 PINE CT, CORONADO
Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,


Signature

MICHAEL MATHENY
Print Name

1170 PINE ST.
CORONADO CA
92118
Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

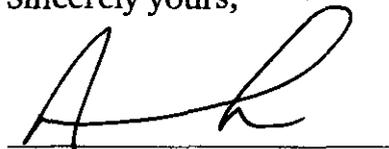
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,



Signature

ANTHONY WARWICK

Print Name

1138 PINE STREET
CORONADO, CA
92118

Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

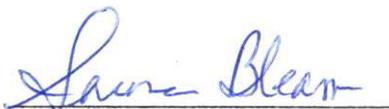
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,



Signature

9-21-20

Print Name

1110 Pine Street
Coronado, CA
92118

Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

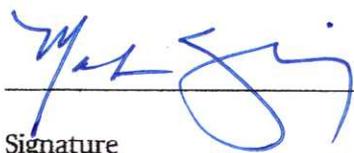
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,



Signature

MARK SPRING

Print Name

1105 Pine St.

Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

San Diego County Regional Airport Authority

Attn: Ralph Redman

SDCRRRA

P.O. Box 82776

San Diego, CA 92138-2776

Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,

 Scott W. Sowell 1107 Pine St.
Coronado

Signature

Print Name

Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,

Richard Smith
Teri Smith

Richard Smith
TERI SMITH

1051 Pine ST

Signature

Print Name

Address

ON BEHALF OF
Pine Street Residents

September 15, 2020

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

Dear Ralph Redman,

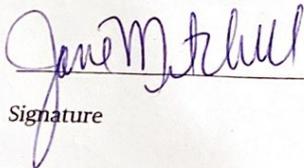
and the adjacent Ocean Blvd,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

We submitted letters in February, also, with many other concerns and questions
Sincerely yours,



Signature

Jane Mitchell

Print Name

431 Ocean Blvd.
Coronado, CA 92118

Address

RESIDENTS OF PINE STREET, CORONADO, CA 92118

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

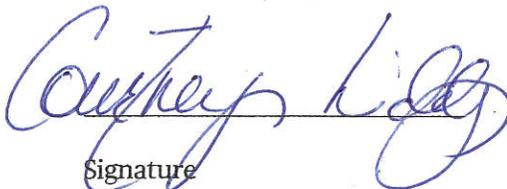
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City?

Sincerely yours,

 COURTNEY LIDA 1120 Pine St.
Signature Print Name Address

ON BEHALF OF

Pine Street Residents

September 15, 2020

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

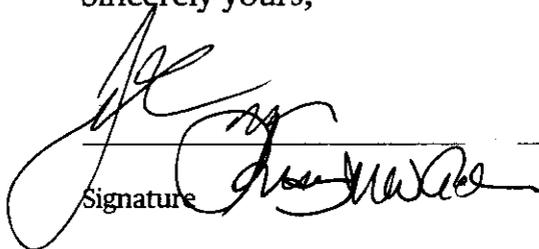
Dear Ralph Redman,

As residents of Pine Street, Coronado, CA, 92118, we are writing this letter to communicate that we do not want San Diego Airport Authority to adopt the ALUCP.

The area in question is fully built-out and this area should be considered exempt from, not subject to, the new land use plan.

This review is unnecessary as it will add another level of government which makes it more difficult and a longer process to build or remodel homes in this area. This could discourage a buyer from purchasing in this area. The City already has a set of rules regarding heights. Why should there be another entity that requires an FAA approval when a height limit is already in place with the City.

Sincerely yours,



Signature

John Wilkenson
Susanne Achen

Print Name

1031 Pine St
Coronado CA 92118

Address



DEPARTMENT OF THE NAVY

COMMANDING OFFICER
NAVAL BASE CORONADO
BOX 357033
SAN DIEGO, CA 92135-7033

IN REPLY REFER TO:

5000
Ser PWO/366
September 18, 2020

San Diego County Regional Airport Authority
Board Members
PO Box 82776
San Diego, CA 92138-2776

Dear Board Members:

SUBJECT: NAVAL BASE CORONADO SUPPORT TO ADOPT THE AIRPORT LAND USE COMPATIBILITY PLAN FOR NAVAL AIR STATION NORTH ISLAND AND CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT

I am writing to reiterate my support for the San Diego County Regional Airport Authority's adoption of the Airport Land Use Compatibility Plan (ALUCP) for Naval Air Station North Island (NASNI) and certification of the accompanying Final Environmental Impact Report (FEIR) at the upcoming Airport Land Use Commission (ALUC) meeting on October 1, 2020, which is a continuance of the public hearing opened at the September 3, 2020 ALUC meeting.

As noted in my letter dated August 20, 2020, the plan is consistent with the Air Installations Compatibility Use Zone (AICUZ) Study for NASNI and Naval Outlying Landing Field Imperial Beach (2011) including the land use recommendations to address noise and safety related to aircraft operations, which the Chief of Naval Operations approved for release in 2012.

Per DoDI 4165.57 and OPNAVINST 11010.36C, AICUZ studies are intended to inform long-range plans, such as General Plans and ALUCPs. The 2011 AICUZ Study is representative of the current and future operating environment at NASNI and remains valid for current and long-range planning purposes. Determination of the AICUZ Study's validity is based on DoD and OPNAV Instruction, as well as environmental analysis as required under the National Environmental Policy Act (NEPA). Under NEPA, the Navy is required to assess the impact of any new mission footprint or increase in operational tempo on the AICUZ Study.

On November 14, 2018, the Navy completed NEPA actions associated with the transition from C-2 aircraft to V-22 aircraft at NASNI. The Navy reviewed operational levels and noise contours associated with the aircraft and concluded operations were within the established parameters of the 2011 AICUZ Study; therefore, an AICUZ update was not required.

The primary goal of the DoD AICUZ Program is to protect the health, safety, and welfare of those living on and near a military airfield while preserving the operational capability of the airfield. As such, we support the San Diego County Regional Airport Authority's efforts to promote land use compatibility between our airfield and the surrounding local jurisdictions

through the ALUCP for NASNI. Minimizing land use conflicts supports the operational capabilities of our airfield.

Thank you for the opportunity to comment on this effort and for your staff's coordination with NBC. My point of contact for this matter is Ms. Anna Shepherd, NBC Community Plans and Liaison Officer. She may be reached by email at anna.shepherd1@navy.mil or at 619-545-4134.

Sincerely,

A handwritten signature in red ink, appearing to be 'J. W. De Pree', written over a horizontal line.

J. W. De PREE
Commanding Officer
Naval Base Coronado

From: Paula Couture <nadolady@gmail.com>

Sent: Tuesday, September 29, 2020 10:45 AM

To: SDCRAA clerk <clerk@san.org>

Cc: wbenzian@coronado.ca.us; Marvin Heinze <mheinze@coronado.ca.us>; Mike Donovan <mdonovan@coronado.ca.us>; Richard Bailey <rbailey@coronado.ca.us>; Sandke, Bill <bsandke@coronado.ca.us>

Subject: Comments ALUCP /Final EIR

Based on the last over reach and flawed AICUZ that was a result of many years of gradual Navy encroachment into our residential airspace on approach to R29, the adoption of ALUCP will have extensive intended consequences and unknown future exponential consequences for the City of Coronado, its residents, land use, zoning, property rights, and safety and welfare of the public.

Governmental entities (Navy, State, Regional) are usurping local City/citizen control of their lives and property rights. It makes no difference if only a few properties will currently be affected by the ALUCP. Those owners and property should not be managed and controlled by an overreaching governmental agency and neither should our City. And we all understand "precedent". The AICUZ and ALUCP have most definitely demonstrated the meaning of the word.

Instead of including and holding accountable the Navy and its responsibility for increase in air traffic on R29, changing flight paths, and encroachment into our residential airspace, the ALUCP document completely ignores these basic facts and foundation.

The purpose of the ALUCP seems not for pilot, public safety and welfare, but as a tool to justify Navy permitting unsuitable aircraft above our homes and lives. If Coronado had been consulted in planning and included in the discussions with the Navy over the years as air traffic increased, different aircraft introduced, flight paths changed, perhaps I could understand this resulting document.

I am a 40 or more years resident on final approach to R29 in the CZ.

I understand the CZ with Beach/Sunset Park. I do not understand aircraft overhead homes and residents well to the right of the offset. Our residential property requirements, CZ, Potential Zones, etc. should not be changed or managed because the Navy expanded (Intruded) into our residential airspace as a routine matter. Navy has had and always will have operational flexibility, knowledge, and expertise that not only would/could have avoided our current state of encroachment on R29 but also would/could have avoided the resulting ALUCP document with its list of controls and rules.

Respectfully,
Paula Bingham-Couture

--

Paula Couture

From: Jean E Gazzo <caljeg1@aol.com>
Sent: Tuesday, September 29, 2020 4:41 PM
To: Redman Ralph <rredman@san.org>
Subject: NASNIALUCP

Dear Mr. Redman,

The NASNIALUCP is too late for Coronado.

Our city is already completely built out, and the population density is established. The proposed restrictions on existing land use constitute an unfair and unlawful seizure of property rights. Property rights are valuable. Removing them without consent or compensation is the equivalent of taxation without representation. Neither local property owners nor the Coronado Mayor and City Council, our elected representatives, are giving consent.

The stated goal of ALUCP, to avoid increased residential density and intensity, is a moot point in Coronado. As an example, my residence was built in 1918, and has been in my family since 1946. It predated the air traffic issues of the present, as do many other homes near the NASNI runways like mine.

The situation here in Coronado is unlike most other cities in California, which still have undeveloped land near airports. Our city should not be crammed into a one size fits all formula.

“Shutting the barn door after the horse is gone” is a stupid policy for any government agency. Please remove the land use guidance part of the ALUCP for Coronado.

Sincerely,
Jean Gazzo
619-435-3819

From: Jan Hatcher <janhatcher@earthlink.net>
Sent: Tuesday, September 29, 2020 5:14 PM
To: SDCRAA clerk <clerk@san.org>; Russell Tony <trussell@san.org>
Cc: mark.west@imperialbeachca.gov
Subject: PLEASE READ BEFORE THE OCT 1 ALUC BOARD MEETING

Dear ALUC Board Members,

I am forwarding a copy of an email I sent today to Mark West. I hope that you will read it prior to the Oct 1 ALUC meeting.

I sincerely hope that you will consider postponing the vote on the proposed ALUCP, currently scheduled for Thursday, Oct 1, until more citizens of Coronado can be properly educated on its details and implications, which at this point I do not believe they are.

The impact on Coronado property owners and residents will be significant, and its citizens deserve an opportunity to understand it in its entirety and to voice their opinions and concerns.

My additional hope is that, having heard from more of those of us who will be adversely affected by the ALUCP, you will reconsider some of its aspects.

Thank you.

Jan Hatcher & Ira Wohl
Coronado Property Owners (since 1997)

Dear Mr West,

I understand from speaking with the Coronado City Community Development department, that you are Coronado's liaison with the Airport Land Use Commission (ALUC), as well as being a voting member of that group.

i AM WRITING YOU AS A VERY CONCERNED CITIZEN OF CORONADO TO ASK YOU TO DO ANYTHING WITHIN YOUR POWER TO PREVENT THE PROPOSED ALUCP/NASNI PLAN FROM BEING APPROVED ON THURSDAY, OCT 1.

I apologize for not voicing my opposition earlier. However, I do not believe that we (my husband, Ira Wohl, and I) are alone in not being fully aware of the impact the ALUCP plan would have, if approved.

I believe that many (if not most) residents living within the Safety Zone outlined in the ALUCP are either not aware that they will be affected, or do not understand specifically how they will be affected by passage of the plan.

I do understand that outreach efforts were made by the ALUCP to inform Coronado residents; however, I do not believe that they were sufficient, nor were they specific enough for residents to fully

realize what the ALUCP would mean for them. Thus, the opposition from Coronado citizens you have seen to its passage to date may have been dramatically understated.

My husband and I became aware of the issue only 2 weeks ago, when we received a flyer from the City (i.e., NOT from ALUCP). Talking to neighbors on our block, what we heard was "It's been going on for a long time, and it's mostly about building heights".

I subsequently read the ALUCP (and comments) online and have spoken to both Ralph Redman, Manager of Airport Planning at ALUC, as well as to Blair King, Coronado's City Manager, and Jesse Brown, Senior Planner in Coronado's Community Development office.

What I now know is that the ALUCP would have significantly negative effects on everyone living within the Safety Zone.

- It would most assuredly reduce their property values.
- It would impose limits and extra costs on any expansion of their homes.
- If an R-3 lot, it would prohibit the addition of new housing units (and at a time when the City needs to fulfill its state-mandated requirement to add 912 new units).
- It would add an additional layer of bureaucracy and approvals for any construction projects, undoubtedly adding additional time and money to projects.

All these will have significant financial consequences for property owners.

And, all because the Navy changed their flight patterns and frequency/type of aircrafts to fly over densely populated residential areas, as well as a world-renowned beach that is typically filled with vacationers.

Why is the "remedy" for this falling on the shoulders of Coronado property owners instead of the Navy?

As an example of how citizens will be affected, this is what I have learned about the potential impact on the two properties we own in Coronado:

1) 1021 E Ave —a 1300 sq ft historic house, built in 1901, which we have owned since 1997. It has always been our plan to build an addition onto the house, once we had the financial resources to do so.

Under the ALUCP, if we built an addition of more than 650 sq ft (50% of current square footage), we would be required to do "noise attenuation" in that new portion of the house.

This presents several issues for us:

- Our house is historic. We would like to apply for the Mills Act, and no building concessions/ accommodations for historic houses are included in the ALUCP. Would the requirements under the ALUCP be compatible with Mills Act (historic preservation) requirements?
- What would the extra costs of "noise attenuation" be? How would they affect design decisions important to the historic integrity of the house?
- What is the logic of installing "noise attenuation" in one portion of the house when the remainder of the house has vintage 1901 sash windows ((23 total in our house) with vintage glass?

- Not having A/C in the house, our windows are open most of the time, so why install “acoustical windows” (and at what cost) when the windows will be open 95% of the time?

- Why should we be responsible (financially and otherwise) for “fixing” a problem created--not by us--but by the Navy, which evidently has increased their flight patterns, the number and frequency of flights, and the type of aircraft being flown into NASNI, thereby subjecting residents to higher noise levels and higher risk of a crash?

2) 1054, 1056 & 1058 Isabella Ave—an R-3 lot which adjoins 1021 E Ave, but is accessed from Isabella Ave. We have owned this property, which has three rental units on it (one cottage and a duplex), since 2001. A portion of this lot is outside the Safety Zone, but per the ALUC (Ralph Redman), as currently configured, it would be subject to both the restriction from building additional housing units on it AND to the “noise attenuation” requirements for any new construction.

- Having learned that the dBL sound contour lines were “modeled” by the Navy, based on historical data (i.e. not even current, and certainly not projected usage data), it is hard to regard these boundaries as anything but arbitrary ones.

If you walk 2 ft away from our duplex, does the decibel level drop to acceptable levels although inside the duplex it is not?

- The idea that such an arbitrary (and perhaps erroneous) determination would prohibit us from developing our property in a way of our choosing is hard to swallow.

- Making this provision even more problematic is the fact that it undermines the City’s goal of adding 912 state-mandated additional housing units in Coronado.

Apart from the negative impacts on property owners such as ourselves, we would also like to raise the issue of public safety.

We are astonished that the risks to public safety (e.g., people on the beach) as well as to homeowners’ property and lives have not been addressed more forcefully with the Navy.

If the Navy changed their flight patterns from flying onto NASNI from the ocean to flying directly over Ocean Blvd and surrounding neighborhoods, why is no one addressing this risk on behalf of the citizens of Coronado?

You may say that this is not in the purview of the ALUCP; if so, whose is it?

Please do not hesitate to contact me if you would like to discuss our concerns prior to the Oct 1 meeting of the ALUC.

Sincerely,

Jan Hatcher
310-650-9888

From: Davis, Robert <DavisRJ@cdmsmith.com>
Sent: Tuesday, September 29, 2020 6:23 PM
To: SDCRAA clerk <clerk@san.org>
Cc: C - Cecile Davis (nadokids@hotmail.com) <nadokids@hotmail.com>
Subject: Resident Comments to the EIR for the NASNI ALUCP

FOR: Clerk at SAN.ORG (ATTN: Ralph Redman, Airport Planning)

FROM: Robert and Cecile Davis

The purpose of this email is to provide our input in reference to the San Diego County Regional Airport Authority and the Final Environmental Impact Report (EIR) for the Naval Air Station North Island Airport Land Use Compatibility Plan (ALUCP). We understand that our email comments must be received before 8AM PST on October 1, 2020.

We are longtime Coronado residents at a location that is on the boundary line between the Clear Zone and APZ1 near Sunset Park in Coronado. We both grew up on Coronado, attended Coronado High School in the 1970s, and now we live in the area affected by the ALUCP. We are a military family and keenly aware of the reason and need to finalize the ALUCP. Our comment is directed at how the City of Coronado and SAN.ORG work together to implement the ALUCP. Specifically, Table 4 (2 of 4), SLUCM Code 47, 48 of page 24 of the ALUCP states that "incompatible land use" in the Clear Zone includes communication (e.g. telephone, radio, television), utilities (e.g. electrical, including wind and solar farms), gas, water, and wastewater. Our interpretation of this is that any future additions or modifications to overhead electrical, telephone, or cable utilities within the Clear Zone is an "incompatible land use". In the last several years, we have observed SDG&E, telephone, and cable companies working on overhead utilities in our neighborhood. We assume that these include utility maintenance activities, upgrading existing utility infrastructure, and adding additional capacity. We argue that adding capacity will now be an "incompatible land use".

For several years, the City of Coronado has struggled with prioritizing the undergrounding of existing above-ground utilities throughout the City limits. Issues of where initial undergrounding occurs, whether there is enough funding to underground the entire City, and whether undergrounding is necessary have all been topics of the debate. The message from the City to residents is that there is not enough funding to underground all of the utilities in the City and that residents should form neighborhood groups to formulate and present plans to the City to "cost share" the funding of the construction of underground utilities in their neighborhoods.

Comment:

The completion of the Naval Air Station North Island ALUCP gives the City of Coronado a clear mandate to fully fund and prioritize the undergrounding of utilities now existing on any telephone pole that is located within the Clear Zone boundary. Our initial estimate is that 32 residential lots lie within or on the Clear Zone border and that the City needs to do everything to make the 32 residences compatible with safe aviation operations at Naval Air Station North Island. We know that a handful of these lots are already serviced by underground utilities (e.g. six properties immediately adjacent to Sunset Park on Coronado Avenue and Ocean Drive). It makes complete sense to underground the existing overhead utilities within the Clear Zone

boundary. In fact, our interpretation is that the ALUCP EIR will obligate the City to make the Clear Zone as safe as possible for residents there.

Once the EIR is finalized, we ask that the City of Coronado move quickly in working with the Clear Zone utility providers who provide electricity, telephone, and cable service to begin the process of undergrounding utilities.

Respectfully,
Robert and Cecile Davis
Full Time Residents within the Clear Zone
Phone: (703) 434-1876 or (703) 309-2797
Email: davisrj@cdmsmith.com or nadokids@hotmail.com

MARGARET MOORE SOHAGI
NICOLE HOEKSMAN GORDON
R. TYSON SOHAGI

MARK J.G. DESROSIERS
MILJA M. MIRIC

ALBERT I. HERSON
ANNE C.H. LYNCH

OF COUNSEL



The Sohagi Law Group, PLC
11999 San Vicente Boulevard
Suite 150
Los Angeles, California 90049

Sacramento Office
1104 Corporate Way
Sacramento, California 95831

310.475.5700 T
msohagi@sohagi.com E

September 30, 2020

VIA EMAIL TO

clerk@san.org

Ms. C. April Boling, Board Chair and
Members of the Airport Land Use Commission,
SAN DIEGO COUNTY REGIONAL AIRPORT LAND USE AUTHORITY
P.O. Box 82776
San Diego, CA. 92138-2776

*Re: Comments by the City of Coronado on the North Island Naval Air Station
(NASNI) Final 2019 Airport Land Use Compatibility Plan (ALUCP) and the
ALUCP Final Environmental Impact Report (EIR)*

Dear Chair Boling and Commission Members:

The Sohagi Law Group, PLC represents the City of Coronado (“City”) in the above-referenced matter and submits these comments on the City’s behalf for consideration prior to its action anticipated at its meeting on October 1, 2020. The City and its technical experts submitted detailed comments on the Final ALUCP and Final EIR on September 2, 2020, which are incorporated into this letter by reference.¹ The City also incorporates previous detailed comments dated February 13, 2020,² which demonstrated why the Draft ALUCP and Draft EIR are legally deficient.

The ALUCP Final EIR remains legally inadequate under the California Environmental Quality Act (“CEQA,” Pub. Resources Code, § 21000 et seq.). The Authority’s responses to the City’s comments do not cure the Draft EIR’s inadequacies and

¹ Letter to Ms. C. April Boling, Board Chair and Members of the Airport Land Use Commission from Margaret M. Sohagi, The Sohagi Law Group, PLC, Comments from the City of Coronado on the NASNI Final 2019 ALUCP and the ALUCP Final EIR: Agenda Items 3 & 4.

² Letter to Mr. Ralph Redman, Manager, Airport Planning Department San Diego County Regional Airport Authority from Blair King, City Manager, City of Coronado re Comments on NASNI Draft ALUCP and Draft EIR, February 12, 2020. These comments are included as Attachments A01, A02, and A03 in the Final EIR Appendices, Volume 1.

are unto themselves legally insufficient under CEQA. This letter is supported by the additional comments from the City’s technical experts, whose comments on the Final ALUCP and Final EIR are included as Attachment 1.

I. FINAL EIR RESPONSES TO CITY COMMENTS WERE INADEQUATE

A. Responses Failed to Meet Basic Legal Requirements for Final EIR Comment Responses

The purpose behind CEQA’s comment and response process is to identify deficiencies, which ultimately “produces a better EIR, by bringing to the attention of the public and decision-makers significant environmental points that might have been overlooked.” (*City of Irvine v. County of Orange* (2015) 238 Cal.App.4th 526, 557; 14 Cal. Code Regs. (hereafter “CEQA Guidelines”), § 15200, 15204.)

Responses to comments on Draft EIRs are an “integral part” of CEQA environmental review, as lead agencies must address comments raising significant environmental issues. (Pub. Resources Code, § 21091, subd. (d)(2)(B); CEQA Guidelines, § 15088, subd. (c); *Cleveland National Forest Found. v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 516.) When comments raise a significant environmental issue that object to the Draft EIR’s analysis, the response to comments must be detailed and must provide a reasoned, good faith analysis. (CEQA Guidelines, § 15088, subd. (c).) “Conclusory statements unsupported by factual information” are not an adequate response. (CEQA Guidelines, § 15088, subd. (c).)

This process is so vital that failure of a lead agency to respond to comments raising significant environmental issues before approving a project frustrates CEQA’s informational purpose and may render the EIR legally inadequate. (See *Flanders Found. v. City of Carmel-by-the-Sea* (2012) 202 Cal.App.4th 603, 615.)

B. Response on Authority’s Ability to Update 2011 AICUZ Contours Was Inadequate

The City has continuously disagreed with the Authority’s reliance on the 2011 Air Installation Compatible Use Zone (“AICUZ”) study throughout the entire preparation of the ALUCP and its environmental review documents and has reiterated this position in its comments on the Draft EIR. (See Final EIR Comments A02-02, A02-06, A02-11, A02-13, A02-26, A02-67, A02-77, among others.) The Authority’s responses to these comments are insufficient because they are non-responsive and fail to provide a reasoned analysis. Topical Response T-01 is a good example of the Authority skirting its responsibility to provide a good faith analysis; the Authority simply responds by incorrectly citing Navy AICUZ

guidance to state that “frequent AICUZ study updates are not advisable, because a primary purpose of the program is to promote long-term land use compatibility planning.”³

There have been multiple instances where public agencies and airport land use commissions have cooperatively addressed issues raised regarding adoption of ALUCPs and AICUZ studies, demonstrating that an update to the AICUZ study is feasible and reasonable.

The Authority, U.S. Navy, and Cities of Coronado and Imperial Beach have previously met and collaborated on joint recommendation regarding the most recent AICUZ study. In January 2006, the parties “developed a mutually-agreeable recommendation” for the Authority’s consideration ahead of the preparation of ALUCPs for two military airfields, including NASNI. (Attachment 2.) The parties agreed to adopt an ALUCP for the military airfields after an updated AICUZ is adopted for each airport. This agreement demonstrates the 2011 AICUZ can be updated to reflect current, more accurate data: “The Navy and cities will continue to cooperate during the preparation of the AICUZ to insure that General Plans and land use regulations and AICUZ recommendations are compatible with each other.” (Attachment 2.)

The law does not prohibit a collaborative approach to developing ALUCPs based on information updated from an existing AICUZ. The March Air Force Base (“AFB”) 2014 ALUCP⁴ is a representative example. The 2014 March AFB ALUCP was primarily based on a 2005 AICUZ. However, noise contours included in the AICUZ were supplemented by more recent contours prepared for the Air Force and March Joint Powers Authority (“JPA”)⁵. These contours reflected current and projected fleet mix changes. In this example, the Air Force and local governments affected by the ALUCP worked together to update AICUZ noise contours and based the ALUCP on updated noise contours. Nothing prohibits the Navy from doing the same for the NASNI ALUCP.

³ Topical Response T-01 incorrectly attributes this statement to the wrong page of the Navy guidance. Furthermore, the Authority chose to omit other sections of the Navy AICUZ guidance for consideration, such as, “future year footprints will provide local governments with the information to plan for changes in air installation activity levels and/or operational procedures.” (p. 4-1.)

<https://www.secnav.navy.mil/doni/Directives/11000%20Facilities%20and%20Land%20Management%20Ashore/11-00%20Facilities%20and%20Activities%20Ashore%20Support/11010.36C.pdf>.

⁴ Riverside County Airport Land Use Commission. 2014. March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. <http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>.

⁵ The March AFB consists local governments affected by the ALUCP: Riverside County and the cities of Moreno Valley, Perris, and Riverside.

This example also demonstrates why the Final EIR Topical Response T-01, which asserts that ALUCPs must be based in the existing AICUZ, is misleading. While it is true that ALUCP for a military airport must be consistent with the safety and noise standards in the AICUZ study (Pub. Util. Code, § 21675, subd. (b)), “consistent with” does not mean “identical to.” Even if the 2011 NASNI AICUZ is not updated to reflect changing conditions (which is the City’s preferred approach), these changing conditions could be reflected in updated noise and safety contours that can be the basis of a revised NASNI ALUCP, as long as the updated contours are “consistent with” the 2011 AICUZ. As with the March AFB example, the revised noise and safety contours should be developed together with Coronado and other affected local governments.

The Authority’s failure to update the AICUZ noise and safety contours with more recent information, since it has the discretion to do so, violates CEQA. As discussed fully in Section 1.C and in the City’s prior comment letter on the EIR (Final EIR Comment A02-69), the failure to update the AICUZ noise and safety contours with existing conditions at the time of EIR preparation violates CEQA because an existing conditions baseline is required to describe *actual* conditions, not *hypothetical* conditions. (CEQA Guidelines, § 15125, subd. (a)(3).) Therefore, the NASNI operations environmental setting and associated existing conditions baseline should be revised to reflect actual physical conditions as they existed at the time of the EIR Notice of Preparation (2019).

C. Response on EIR Baseline Sufficiency Was Inadequate

An EIR must describe “the physical environmental conditions in the vicinity of the project” which will normally be used as the baseline for determining “whether an impact is significant.” (CEQA Guidelines, § 15125, subd. (a).) The establishment of a baseline is intended to provide the public and decision-makers with “the most accurate picture practically possible of the project’s impacts.” (CEQA Guidelines, § 15125, subd. (a)(1).) The Final EIR’s baseline frustrates the purpose of providing “the most accurate picture practically possible” because the reliance on outdated data contained in the 2011 AICUZ paints an inaccurate picture of the baseline. The use of the 2011 AICUZ 2020 future scenario as baseline also violates CEQA Guidelines section 15125, subdivision (e), which provides that: “Where a proposed project is compared with an adopted plan, the analysis shall examine the existing physical conditions at the time the notice of preparation is published... as well as the potential future conditions discussed in the plan.”

The City has repeatedly stated the ALUCP EIR is flawed because it is based on a hypothetical, “projected” 2020 operations baseline identified in the 2011 AICUZ and requested the Authority prepare an updated existing conditions baseline after an AICUZ study. (See Comments A02-69, A02-80.) The Authority’s Response to Comment A02-69 is blatantly non-responsive. The response attempts to insufficiently address the City’s concerns by simply stating where the AICUZ study is discussed in the EIR and incorrectly purporting that “[a]ny potential impacts of the Draft ALUCP are independent of the operational activity at NASNI at any given time” without support.

“Conclusory statements unsupported by factual information” are not an adequate response, as questions raised about significant environmental issues must be addressed in detail. (CEQA Guidelines, § 15088, subd. (c).) In Response to Comment A02-69, the Authority quotes CEQA Guidelines section 15125 to circularly “support” the Authority’s erroneous conclusion that the baseline information “in the Affected Environment section of the Draft EIR is fully compliant with the CEQA Guidelines:”

Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project’s impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence.

The Authority’s simple statement repeating CEQA Guidelines does not support its implied conclusion that using the 2011 AICUZ study as baseline provides the most accurate picture possible of the ALUCP’s impacts. The Authority incorrectly interprets the CEQA Guidelines to come to an incorrect conclusion regarding the accuracy of the ALUCP’s baseline conditions. While the CEQA Guidelines allow a lead agency to define existing conditions “by referencing historic conditions,” it does not permit lead agencies to adopt historic conditions as the definition of existing conditions, especially where this is not “necessary to provide the most accurate picture practically possible of the project’s impacts.” (CEQA Guidelines, § 15125, subd. (a)(1).) To utilize the 2011 AICUZ study to define existing conditions frustrates the purpose of defining an existing conditions baseline.

Relying on the 2011 AICUZ study as baseline does not provide an “accurate picture” of ALUCP impacts because it contains information that is inaccurate, outdated, or otherwise irrelevant. For example, the City questioned the accuracy of NASNI operations and raised major inaccuracies regarding the 2011 AICUZ’s projected 2020 scenario in Comment A02-67. The noise contours were based on data, analyses, and projections from ten to twenty years ago and cannot be relied upon to reflect accurate NASNI conditions and operations. Major differences between the 2020 scenario and the current state of NASNI operations include: the number of aircraft operations is too high, operational shifts are inaccurate, aircraft fleet mix is inaccurate, noise simulation models are outdated, and flight paths have changed. (See additional discussion in Attachment 1.)

To provide another example, in the Final EIR Response to Comment A02-33, the Authority cites to an outdated reference to explain that an alternative involving a displacement of the landing threshold for Runway 29 was considered and rejected based on certain types of aircraft that rarely utilize and are not even stationed at NASNI. (See Attachment 1.)

As stated, the Authority’s failure to update the AICUZ noise and safety contours violates CEQA because the baseline does not describe actual conditions at the time of the Notice of Preparation, as required. (CEQA Guidelines, § 15125, subd. (a)(3) and (e).) The

Authority must provide specific reasons supported by data for rejecting the City's suggestions for an updated AICUZ study based on more accurate, recent data after input from the City and other affected local governments, especially because the City and its technical experts have expert knowledge in understanding how the ALUCP undermines the City's general plan goals and objectives. Specific, detailed responses, supported by a reasoned analysis, are particularly important when the EIR's impact analysis is criticized by experts or other agencies with expertise in the area. At a minimum, the Final EIR must acknowledge the conflicting opinions and explain why suggestions made in the comments have been rejected, supporting its statements with relevant data. (See *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 940 (“*Banning Ranch*”).)

D. Response on Unavailable Methods and Data Underlying AICUZ Study Was Inadequate

The City has repeatedly requested, since 2016, computer input and output models in addition to any field measurements that were taken to verify the accuracy of the 65 CNEL contour and its relative position. (See Final EIR Comment A02-42.) The response to Final Comment A02-42 is the same song played by the Authority's broken record: even though such models were used by the lead agency “and adopted into the Draft ALUCP,” because the geometry of the noise contours “was established by the Navy,” the Authority instructs “requests for the input/output data must be directed to the Navy.”⁶

The Authority has similarly withheld the noise technical report on which the Project is based. The report, *Wyle Aviation Services, Wyle Report WR10-18: AICUZ Update Noise Study for Naval Air Station North Island and Outlying Landing Field Imperial Beach, California, September 2010*, has not been provided despite the City's insistence that it should be available for public review. The Authority, in Response to Comment A02-62, simply states the Wyle Report “is available from SDCRAA staff.” Despite the City's repeated requests, the Wyle Report was not provided to the City nor included as an Appendix to the 2011 AICUZ, the ALUCP Draft EIR, or the ALUCP Final EIR.

⁶ On September 29, 2020, the Navy finally responded to the City's latest request for the Wyle Report (via email from Captain John Dupree, 50th Commanding Officer, Naval Base Coronado to Jesse Brown, Senior Planner, City of Coronado). The Navy's email indicated that the City could plan to receive the study, with security redactions as needed, within three weeks. However, the Navy's promise to send the Wyle Report in October 2020 does not at all address the City's fundamental concerns. To allow meaningful public review and comment on the Draft EIR and Draft ALUCP, the Wyle Report together with the other methods and data underlying the AICUZ Study should have been disclosed and made available when the AICUZ Study was published in 2011, and certainly no later than when the Draft EIR and Draft ALUCP were released in December 2019.

The Authority continues to provide insufficient responses to the City's comments, including criticisms from technical experts, condemning the use of the 2011 AICUZ in the Draft ALUCP to establish the Project's baseline. The City repeats its contention that updated modeling that corrects inaccuracies in the 2011 AICUZ study will result in different noise contours. Without these changes, the Project's impact analyses and conclusions are inaccurate, rendering the entire ALUCP EIR deficient. (See *Berkeley Keep Jets Over the Bay Committee v. Board of Port Comm'rs* (2001) 91 Cal.App.4th 1344, 1367, 1371, stating that the lead agency's responses to comments from other agencies and experts criticizing data and methodologies used to assess impacts were conclusory and rendered the EIR legally inadequate.)

Specific, detailed responses, supported by a reasoned analysis, are particularly important when the EIR's impact analysis is criticized by experts or other agencies with expertise in the area; the City has provided such expert opinions in its prior EIR comments. At a minimum, the Final EIR must acknowledge the conflicting opinions and explain why suggestions made in the comments have been rejected, supporting its statements with relevant data. (See *Banning Ranch, supra*, 2 Cal.5th 918, 940.) Instead of supporting its statements with relevant data, the Authority simply punts the City's requests for relevant data to the Navy. Evidence to support the validity and accuracy of the technical information upon which the noise and safety contours are based are necessary to understand the entirety of the ALUCP EIR and should be provided to the City to avoid frustration of the purposes of CEQA.

E. Many Other Final EIR Responses Were Inadequate

In addition to the inadequate responses to comments raised in this letter, the Authority's responses to many other City comments fall short of satisfying CEQA requirements because the Authority either fails to address significant environmental issues altogether or responses lack a detailed, good faith analysis with support from factual information.⁷ For a detailed list and discussion of the inadequacies of the Authority's other responses to comments, please refer to the discussion in the City's technical experts' comments, included as Attachment 1.

II. RECOMMENDATIONS

The City again urges the Authority to no longer pursue its efforts to adopt the ALUCP because, as specified in its previous comment letters, it is not required to be adopted at this time, is based on stale and outdated information, and would have devastating economic impacts on the City and its property owners. Furthermore, the ALUCP EIR is insufficient under CEQA for the reasons stated within. Should the Authority decide to

⁷ Some examples of these specific responses to comments are as follows: Topical Responses T-01, T-02, T-03, T-04, T-05, T-08, and T-09; Responses to Comments A01-1, A02-07, A02-33, A02-36, A02-42, A02-43, A02-44, A02-55, A02-61, A02-62, A02-67, and A02-74.

proceed with the ALUCP, the deficiencies in the Final ALUCP and Final EIR must first be remedied by substantially revising these documents and recirculating the Draft EIR for additional public comment.

Very truly yours,



MARGARET MOORE SOHAGI
THE SOHAGI LAW GROUP, PLC

CC: Mr. Ralph Redman, Manager, Airport Planning Department
City Council, City of Coronado
Blair King, City of Coronado City Manager
Johanna Canlas, City of Coronado City Attorney

Attachment 1: Leslea Meyerhoff, AICP, Memorandum & Resume, Summit Environmental Group.

Attachment 2: January 24, 2006 Correspondence to the San Diego Regional Airport Authority from Captain Tim Alexander, Naval Base Coronado, Mayor Tom Smisek of the City of Coronado, and Mayor Diane Rose of the City of Imperial Beach

W:\C\341\002\00631196.DOC



September 25, 2020

Ms. C. April Boling, Board Chair and
Members of the Airport Land Use Commission,
SAN DIEGO COUNTY REGIONAL AIRPORT LAND USE AUTHORITY
P.O. Box 82776
San Diego, CA. 92138-2776

SUBJECT: Additional comments on the North Island Naval Air Station (NASNI) Final 2019 Airport Land Use Compatibility Plan (ALUCP) and the ALUCP Final Environmental Impact Report (EIR)

Dear Chair Boling and Commission Members:

The Summit Environmental Group (Summit) is submitting these additional comments on behalf of the City of Coronado (City).

1) FEIR Section 2.1, Page 3, Item 1: This redline change makes it unequivocally clear that the ALUCP is not based on future operations or a 20-year master plan as required by the Caltrans Airport Land Use Planning Handbook. The AICUZ planning horizon was 2011 through 2020. Since it is already September 2020, the AICUZ is not a forward looking document as is required by Navy guidance. Topical Responses T-01 and T-02 acknowledge the fact that the 2011 NASNI AICUZ is not a "forecast of air operations for a timeframe that is 5-10 years forward". Topical Response T-01 also confirms our comments acknowledging that the AICUZ is required to be updated when new aircraft are proposed to be stationed at a base. The Navy just added the Osprey to NASNI and yet this is not acknowledged in the 2011 AICUZ. An Environmental Assessment (EA) prepared pursuant to the National Environmental Policy Act (NEPA) was prepared for the Osprey transition. The statement in the EA that no changes to the 2011 AICUZ are required is meaningless and does not replace the Department of the Navy's own guidance on this matter. Further, the local base commander's statement that the 2011 AICUZ is valid indefinitely is wholly inconsistent with Department of the Navy Guidance contained within OPNAVIST 11010.36C.

2) The requirement for an ALUCP to be based on a long-range master plan was reinforced by the court in City of Coachella v. Riverside County Airport Land Use Commission (1989) 210 Cal.App.3d 1277, 1291. In that case, the court held that the airport commission's land use plan did not meet the requirements of the SAA because it did not include a long-range master plan encompassing at least 20 years of anticipated growth by the airport. By



not extending the ALUCP time horizon beyond 2020, the proposed ALUCP is inconsistent with the long range planning requirements of PUC § 21675(a) and the Handbook. FEIR Section 2.1, page 5, item 3. The addition of this sentence at the end of this section of the EIR does not mean that the cumulative impact analysis was actually done. In fact, there is no evidence to support this conclusory statement.

3) FEIR Section 2.1, Page 5, Item 6: Why is this text shown in redline being removed from the EIR? It is unclear what precipitated this change and the basis for this change is important to disclose. Is this a mapping error or an analytical error? This should be clarified and disclosed by the SDCRAA.

4) FEIR Section 2.2, Page 6, Item 6: The additional text proposed to be added should be revised to also include a reference to “junior accessory dwelling units” also known as “JADU”.

5) FEIR Section 2.2, Page 6, Item 7, why is this text being removed? The basis of this change must be disclosed, as this is a significant change to the process.

6) FEIR Topical Response T-03 on Page 14 states, “As noted in the responses to Comments T-02, T-04, and T-05, the ALUC has no jurisdiction or authority over NASNI. Flight operations are under the Navy’s control, subject to FAA regulations. Flight operations cannot be dictated by any local or state unit of government, including the ALUC.” How does the SDCRAA reconcile this with CEQA’s fundamental mandate for an EIR to identify and analyze a reasonable range of alternatives to a proposed project? If the SDCRAA has no real ability to evaluate a reasonable range of alternatives to the project (i.e., NASNI AICUZ implementation), what is the value or point of the evaluating alternatives in the EIR if none are feasible to the extent they vary from the noise and safety footprints associated with the 2011 NASNI AICUZ? FEIR Topical Response T-05 states, “Thus, the ALUC is unable to consider operational or facilities changes at NASNI as either potential measures to mitigate environmental impacts of the Draft ALUCP or as the basis for alternatives to the policies and standards of the Draft ALUCP.” This reaffirms the City’s concern that the SDCRAA NASNI ALUCP and EIR process has had a predetermined outcome from the outset.

7) FEIR Topical Responses T-08 and T-09 on Pages 18-21 are not supported by evidence in the record. In fact, the recent study completed by KMA (September 2020) and included as Attachment 2 to the September 2, 2020 letter from the Sohagi Law Group soundly demonstrates the expected adverse economic effects and physical changes to the environment in the form of urban decay directly attributable to the NASNI ALUCP if adopted.

8) FEIR Response to Comment Letter A01-1 beginning on Page 36: The FEIR fails to adequately characterize and address all substantive comments made by the City in their comment letter. The FEIR format utilized by the SDCRAA intentionally tries to obscure this fact by having the actual DEIR comment letters contained in a separate volume of the FEIR (i.e., they are located in a 502-page FEIR Technical Appendix, Volume 1 of 2, Appendix 2 rather than side-by-side, as is more customary.) Further, the Responses to Comments are difficult to follow given the abundance of cross referencing to other responses that appear later in the 502-page FEIR Technical Appendix, Volume 1 of 2, Appendix 2. The SDCRAA’s approach to the FEIR subverts the intent of an EIR as a public disclosure document and the public’s ability to review of the scope and contents of the materials before the ALUC Board.



9) FEIR Response to Comment A02-07, Page 38: In this response to the City's comments, the SDCRAA confirms that no public outreach on the NASNI ALUCP was undertaken between November 2, 2017 and the time the Navy issued a FONSI for the Osprey EA on November 1, 2018 and that the delay was attributed to the SDCRAA waiting to see if the CMV-22B aircraft transition would require an update to the 2011 AICUZ. The conclusory statement in a NEPA document cannot replace the Navy's own guidance to update an AICUZ when a change in aircraft is planned.

10) FEIR Response to Comment A02-33, Page 51: The SDCRAA cites an outdated reference to illustrate that an alternative involving a displacement of the landing threshold for Runway 29 was considered and rejected. Given the new, more advanced aircraft now stationed at NASNI, including the new Osprey, the viability of this alternative must be reevaluated in an updated AICUZ that looks at current operations and those planned in the next 20 years. It is precisely this type of scenario that highlights the problematic nature of 2011 AICUZ, which is obsolete. The AICUZ references the MD-11 and L-1011 aircraft as key point to the rationale for rejecting this alternative as the runway landing distance for these aircraft would be too short; however these aircraft rarely utilize NASNI and are not stationed there. This is but one concrete and singular example of why an inaccurate and outdated AICUZ is fundamentally obsolete and cannot be used as the basis of the ALUCP that is required by state law to be forward looking in establishing land use policies. Current and future operations at NASNI must be accounted for in an AICUZ update that looks forward not backwards. As the horizon year was 2020, the AICUZ is at best hindcasting and cannot serve as a forward-oriented ALUCP. Again, the City requests that the AICUZ be calibrated to reflect current operations with an eye toward the future operational scenarios with better, faster, lighter and smaller aircraft.

11) FEIR Response to Comment A02-36, Page 54: The Federal Consistency Unit of the California Coastal Commission implements the federal Coastal Zone Management Act (CZMA) of 1972 as it applies to federal activities, plans, development projects, permits and licenses, and support to state and local governments. In the CZMA, Congress created a federal and state partnership for management of coastal resources. The CZMA encourages states to develop coastal management programs and implement the federal consistency procedures of the CZMA. Upon certification of a state's coastal management program, all federal agency activities (including federal development projects, permits and licenses, and assistance to state and local governments) affecting the coastal zone must be consistent with the enforceable policies of the state's certified program. The review process used to implement this requirement is called a consistency determination for federal agency activities and development projects, and a consistency certification for federal permits and licenses, and/or federal support (i.e. funding) to state and local agencies. The Commission's goal is to use the federal consistency process to provide open communication and coordination with federal agencies and applicants and provide the public with an opportunity to participate in the process. No evidence of a federal consistency determination from the Coastal Commission for the 2011 AICUZ has been provided. Evidence to support the SDCRAA reliance on an AICUZ that has undergone a federal CZMA consistency review must be provided to decision-makers and the public before the ALUC considers taking action on the NASNI ALUCP.



12) FEIR Response to Comment A02-36, Page 55: No evidence has been provided to indicate concurrence for the SDCRAA 's statement that the NASNI ALUCP does not constitute "development". The Coastal Act of 1976 requires that any development receive a coastal development permit or an exemption from permit requirements. The SDCRAA is responsible for complying with the Coastal Act and must seek a permit or a permit exemption for all projects within the Coastal Zone. Evidence to support the SDCRAA statement that the ALUCP does not constitute development must be provided to decision-makers and the public before the ALUC considers taking action on the NASNI ALUCP.

13) FEIR Response to Comment A02-42, Page 59: We are unclear why the SDCRAA refuses to provide the geometry of the noise contours in the AICUZ and adopted into the Draft ALUCP as established by the Navy. The ALUCP and EIR both rely on this data and therefore it must be made available for public review. The City continues to have concerns regarding the collection of data and methodologies used to model aircraft noise at NASNI. The City has requested this data of the SDCRAA on numerous occasions. The City has also requested this information from the Navy, but has not received the information for review. It appears that the SDCRAA is simply punting on its planning and CEQA responsibilities to ensure the validity of the data on which the ALUCP noise and safety contours are based. It is reckless and imprudent for the SDCRAA to blindly rely on key technical data that has not been peer reviewed for technical, legal or scientific adequacy. This situation is made all the more offensive given the age of the data (2003-2009) and the evolution and enhancement of computer based noise models since that time. The SDCRAA has a legal obligation to validate the technical data on which its ALUCPs are based and this instance (i.e., a federal military airport) is no different.

14) FEIR Response to Comment A02-43, Pages 59 & 60: The reference cited in Footnote 140 on the bottom of Page 60 has not been made available for public review as part of any documentation provided by the SDCRAA for either the ALUCP or the EIR. Moreover, an online search for this report yielded no results. This report is part of the data request that the City has repeatedly made, as acknowledged by the SDCRAA in their response to our comment. Once again, we request that this report be provided to the City for review as it is one of the foundational documents that underlie both the AICUZ and ALUCP and EIR conclusions. While it is essential that we are able to review this document, it is not anticipated that it will contain the results of the computer model runs. Thus, the City's request still stands for full transparency of the assumptions and input and outputs of the noise and safety models on which the noise and safety contours in the AICUZ and ALUCP are based.

15) FEIR Response to Comment A02-044, Page 60: The time to provide property owners "with the flexibility to decide when they want to opt for sound attenuation and when they prefer fresh air from open windows and doors" is before they are required to invest in such expensive noise attenuation mitigation measures stipulated by the ALUCP, not after they are forced to install them. As noted, noise attenuation measures lose their effectiveness when windows and doors are open, which for City residents in the noise zones is likely the majority of time given the proximity to the ocean. This is a clear example of mitigation measures being mandated that are wholly ineffective.

16) FEIR Response to Comment A02-55, Page 66: Given the unprecedented global COVID-19 pandemic, local emergency and downturn in economic activity due to business



closure orders, the City requests that the 24-month period for discontinuance of incompatible uses be revised to allow for a 60-month period.

17) FEIR Response to Comment A02-61, Page 70: The City has no ability to arbitrarily decide to make ministerial actions suddenly discretionary via the ALUCP review process. This is not an enforceable action and the City cannot implement this permit process alteration.

18) FEIR Response to Comment A02-62, Page 71: The noise technical report requested by the City previously has not been provided to the City for review. This response indicates that “The noise technical report is available from SDCRAA staff” then cites Footnote 172 “Wyle Aviation Services, Wyle Report WR10-18: AICUZ Update Noise Study for Naval Air Station North Island and Outlying Landing Field Imperial Beach, California, September 2010.” This report was not included as an Appendix to the 2011 AICUZ or the ALUCP Draft EIR or ALUCP Final EIR. The FEIR indicates that it is available from SDCRAA staff (see FEIR Response to Comment A02-62) and yet the City has requested the supporting technical noise related data repeatedly. It was a document improperly “incorporated by reference” into the Draft EIR (see Page 1-16). Also, it should be noted that there is no evidence or mention in the EIR of any peer review or validation of this report. As we have noted previously, our team considered the 2011 AICUZ noise contours (developed in the Wyle report) to be invalid for reasons previously documented. While we believe this report should be made available for public review, it is unlikely to contain all of the essential information that the City has repeatedly requested such as the noise model assumptions/input and computer output data. This has been requested on numerous occasions however, as noted in the Response to Comment A02-42, the SDCRAA has suggested that the City request this report from the Navy which we have also done without success. Thus, a foundational technical resource on which the AICUZ, ALUCP and EIR house of cards is based has, to date, been made unavailable to the public for review. The information on which the SDCRAA is reliant has not been substantiated. Therefore, no evidence has been provided to validate the noise impact analysis or conclusions in the EIR.

19) The City requests the information necessary to validate the noise contours in the 2011 AICUZ report. According to the AICUZ and ALUCP, those contours rely upon the Wyle Report WR10-18 (September 2010). Please forward a copy Report WR10-18 to the City as soon as possible. Either a hard copy or electronic copy would be sufficient. We also request all data, reports, appendices necessary to duplicate, replicate and/or validate the Wyle WR10-18 results, including the full set of assumptions and electronic copies of the input files and the output files used to generate the contour results in the 2010 Wyle report. Finally, we request any field measurements that were taken to validate the accuracy of the model contour results as presented in the 2011 AICUZ and which now serve as the basis of the NASNI ALUCP noise contours.

20) FEIR Response to Comment A02-67, Page 76: The response does not address the City’s questions regarding the accuracy of NASNI aircraft operations and more specifically, does not adequately address the following major inaccuracies in the AICUZ 2020 (future) scenario that was used to calculate noise contours:

- The number of aircraft operations is too high



- The day/evening/night operational shifts are inaccurate
- The aircraft fleet mix assumed is inaccurate: aircraft types are different, and the proportion of transient aircraft to based aircraft is too low.
- Noise simulation models are outdated and have been updated or replaced.
- Flight paths have changed.

Updated modeling that corrects these inaccuracies will result in different noise contours. These changes must be presented in a revised DEIR project description, and revised DEIR baselines and impact analyses.

21) FEIR Response to Comment A02-74, Page 86, states that the DEIR concludes that significant and unavoidable adverse impacts on land use and planning in the City are likely with implementation of the Draft ALUCP. However, the operational parameters and assumptions from the 2011 AICUZ have not been reviewed for accuracy or otherwise technically validated by the SDCRAA and yet they are the foundation of the baseline, impact analysis and EIR conclusions. No evidence of the validity or accuracy of the technical information upon which the noise and safety contours are based has been provided to date. This is an overarching and fundamental flaw in the NASNI ALUCP and EIR processes that must be remedied before the SDCRAA takes action on this matter.

22) The EIR is fatally flawed due to its dependence on the use of old noise simulation models and out-of-date data. Specifically, the EIR relies on the 2011 AICUZ as its basis for its safety zones, noise contours such as the determination of the 65 dB Community Noise Equivalent Level (“CNEL”) contour, and land-use compatibility standards. The ALUCP uses the AICUZ to determine the Airport Influence Area, which is the area in which current and projected future airport related noise, safety, airspace protection, or overflight factors/layers may significantly affect land use or necessitate restrictions on land use. However, the noise contours within the AICUZ used information and noise simulation models which are quite out-of-date. Thus, all conclusions regarding land use compatibility from the use of that out-of-date information are no longer valid. Updated noise contours must be generated and these changes must be assessed within a Recirculated Draft EIR.

23) As published in 2011, the AICUZ noise zones were based on two sets of CNEL contours: a baseline scenario which was developed from a seven-year average (2003 through 2009) of annual aircraft operations at NASNI and a prospective future scenario (generally represented/projected as 2020), to reflect anticipated operational levels at NASNI. Thus, the noise contours were based on data, analyses, and projections from ten to twenty years ago. Data from ten to twenty years ago no longer accurately reflect current conditions at the airfield and conclusions based on this data are no longer valid. The estimation of the noise contours within the ALUCP EIR must be based on updated information.

24) Additionally, the prospective future scenario represented an estimation of noise contours for today (e.g. AICUZ future planning horizon year is 2020), but that estimation was conducted ten years ago and based on data from nearly twenty years ago. Over the years, there have been changes to airfield operations such as the annual number of aircraft operations and the types of aircraft that operate at NASNI and the aircraft flight tracks and day/evening/night splits reflective of how those aircraft operate at NASNI. As such, neither



the baseline scenario nor the prospective future scenario within the AICUZ accurately reflects the noise contours for existing or future environment conditions. Given that these out-of-date noise contours are the basis for the conclusions related to land use compatibility, the ALUCP and its EIR remain fatally flawed.

Regards,



Leslea Meyerhoff, M.A., AICP
Principal

CC: City Council, City of Coronado
Johanna Canlas, City Attorney, City of Coronado
Margaret Sohagi, Esq. The Sohagi Law Group PLC

Attachment 1: Resume, Leslea Meyerhoff, AICP, Principal, Summit Environmental Group





Leslea Meyerhoff, M.A., AICP Founder and Principal

Ms. Meyerhoff is a certified land use and environmental planner with 20+ years of professional experience as a planning practitioner representing a variety of public agencies throughout California. Ms. Meyerhoff has managed the development of local coastal programs, primary infrastructure projects including water supply projects, power stations, shoreline management and beach restoration projects. Ms. Meyerhoff has experience working with cities and special districts and has served as the Project Manager for numerous complex projects. She has spent the majority of her career as a planning consultant and also served as a legislative aide for state and local officials on land use and environmental policy development. Ms. Meyerhoff places special emphasis on a commitment to consistently providing the highest levels of client service and functioning as an extension of public agency staff.



Education

- M.A. Environmental Analysis & Policy. UCLA
- B.A. Government and Environmental Studies. CSU, Sacramento

Professional Experience

- Summit Environmental Group, Inc. Founder and Principal
- Harvey Meyerhoff Consulting Group, Inc. Founder and Principal
- Greystone Environmental Consultants, Southern California Regional Manager
- Hofman Planning Associates, Senior Project Manager
- Michael Brandman Associates, Project Manager
- Los Angeles City Council - Legislative Aide
- California State Assembly - Legislative Aide

Certifications / Affiliations / Awards

- City of Carlsbad CERT Team
- American Institute of Certified Planners: AICP certification obtained in 1993
- American Planning Association, San Diego Section Director Pro-Tem
- American Planning Association, San Diego Section Legislative Chair
- American Shore & Beach Preservation Association, Director
- California Coastal Coalition, Friend of the Coast Award
- California Chapter, APA, State Water Plan Review Team
- California Chapter, APA Legislative Review Team





CITY OF CORONADO

1825 STRAND WAY
CORONADO, CA 92118

OFFICE OF THE CITY MANAGER
(619) 522-7335
FAX (619) 522-7846

January 24, 2006

Ms. Angela Shafer-Payne
Vice President, Strategic Planning
San Diego County Regional Airport Authority
P.O. Box 82776
San Diego CA 92138-2776

Subject: Resolution of Navy/Coronado/Imperial Beach ALUCP/AICUZ Issues

Dear Ms. Shafer-Payne:

Thank you for conducting a joint staff meeting between the San Diego County Regional Airport Authority, U.S. Navy, City of Imperial Beach and City of Coronado on December 5, 2005. As you will recall, you suggested at the meeting that representatives of Naval Base Coronado and the cities of Coronado and Imperial Beach meet to discuss a process for and determine if a mutually satisfactory policy position related to an ALUCP for NOLF and NASNI may be developed.

Per your suggestion, representatives from the Navy and the cities of Imperial Beach and Coronado met on January 23, 2006. After considerable discussion and a factual dialogue, we have developed a mutually-agreeable recommendation to be considered by the SDCRAA for its preparation of the ALUCPs for the two military airfields. The following points summarize our joint position:

1. SDCRAA adopt an ALUCP for NOLF and NASNI after an updated AICUZ for each airport is adopted by the Navy. The Navy expects to adopt a new AICUZ for each airport within approximately eighteen months.
2. The new AICUZ for each airfield should serve as the ALUCP. In other words, each new ALUCP should be no broader in scope and impact than the AICUZ for each airfield.



Ms. Shafer-Payne
January 24, 2006
Page 2

3. The Navy and cities will continue to cooperate during the preparation of the AICUZ to insure that General Plans and land use regulations and AICUZ recommendations are compatible with each other. The parties intend that the General Plans of the cities accurately reflect AICUZ recommendations.

Upon completion of the AICUZ it is our intent that all current issues will be resolved and that the SDCRAA will be able to rely on the updated AICUZ for the expeditious creation of the ALUCP.

Again, thank you for assisting us and we look forward to your acceptance of our recommendations.

Sincerely,

Captain Tim Alexander
Naval Base Coronado

Tom Smisek
Mayor
City of Coronado

Diane Rose
Mayor
City of Imperial Beach