



**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
Airport Land Use Commission  
STAFF REPORT**

Item No.  
**3**

Meeting Date: **NOVEMBER 3, 2011**

**Subject:**

**Adoption of an Amendment to the Marine Corps Air Station Miramar Airport Land Use Compatibility Plan and Addendum to the Previously Certified Environmental Impact Report**

**Recommendation:**

Adopt Resolution No. 2011-0018 ALUC, approving an amendment to the Marine Corps Air Station Miramar Airport Land Use Compatibility Plan and adopting an Addendum to the previously certified Environmental Impact Report.

**Background/Justification:**

The Airport Authority was designated as the Airport Land Use Commission (ALUC) for San Diego County, effective January 1, 2003 (Pub. Util. Code §21670.3(a)). Acting in its capacity as the ALUC, the Airport Authority is required to prepare and adopt an Airport Land Use Compatibility Plan (ALUCP) for each of the public use and military airports within its jurisdiction (Pub. Util. Code §21674(c)).

The purpose of the ALUCP is to protect the public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use policies that minimize the public's exposure to excessive noise and safety hazards within the areas around airports located in the county that are not already devoted to incompatible land uses (Pub. Util. Code §21674).

In accordance with this mandate, the ALUC adopted an ALUCP for Marine Corps Air Station (MCAS) Miramar and certified an Environmental Impact Report (EIR) on October 2, 2008. In addition, on December 20, 2010, the ALUC approved an amendment to the ALUCP for MCAS Miramar and adopted an Addendum to the previously certified EIR for the MCAS Miramar ALUCP. The purpose of the amendment was to clarify certain policies.

Cal. Pub. Util. Code §21675(b) requires that an ALUCP be consistent with the safety and noise standards in the Air Installation Compatible Use Zones (AICUZ) study for military airports. The MCAS Miramar AICUZ prohibits new electrical substations only when they would produce electronic interference with aircraft. However, the ALUCP imposed further restrictions for this land use based on the attached correspondence from MCAS Miramar dated December 5, 2007 (Attachments 1 and 2).

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In 2011, ALUC staff received additional correspondence from MCAS Miramar which updates and clarifies their position specific to new electrical substations. The latest correspondence does not object to electrical substations being located within APZs. Because the proposed amendment maintains consistency with the AICUZ, it is appropriate to allow the siting of new electrical substations within APZ II provided they do not produce electronic interference with aircraft.

Additionally, the City of San Diego's ALUCP Implementation Plan approved by the ALUC in September 2011 already allows electrical substations subject to ALUC approval. Therefore, ALUC staff recommends that the ALUCP be amended to allow new electrical substations to be sited within APZ II. This modification is consistent with the provisions of the AICUZ.

It is important to note that amending the MCAS Miramar ALUCP before the end of 2011 will preserve the opportunity, if needed, to amend the ALUCP in 2012. The ALUC is restricted to amending an ALUCP only once per calendar year (Pub. Util. Code §21675(a)).

Below are the proposed amendments to Policy 3.4.6(h)(4) and Table MIR-2 with respect to electrical substations within APZ II:

(4) Electrical Substations are:

- = Not compatible in the CZ, and should not be permitted by the *local agency*.
- = Conditionally compatible in APZ I, provided that major overhead power lines are placed underground. In addition, no new sites or land acquisition is allowed; however, the replacement or expansion of facilities on existing sites is allowed.
- = ~~Conditionally compatible in APZ II, provided that no new sites or land acquisition is allowed. However, the replacement or expansion of facilities on existing sites is allowed.~~ Conditionally compatible in APZ II, provided that no new sites or land acquisition is allowed there is no electronic interference with aircraft. However, the replacement or expansion of facilities on existing sites is allowed.
- = Compatible in the TZ.

Land Use Types / Typical Uses	CBC Group*	Safety Zone**				Criteria for Conditional (yellow) Uses
		CZ	APZ I	APZ II	TZ	
<ul style="list-style-type: none"> <li>• Multiple land use categories and compatibility criteria may apply to a project (see Policy 3.4.7)</li> <li>• See Policy 3.4.7(c) for limits on ancillary uses<sup>1</sup></li> </ul>						<ul style="list-style-type: none"> <li>• Maximum intensity limits apply to all Conditional uses</li> <li>• Abbreviations below refer to zones in which condition specified is applicable</li> <li>• Numbers in yellow cells are Floor Area Ratio (FAR) limitations (see Policy 3.4.6(c) and End-note 4)</li> </ul>
<p>Maximum Intensity Limits (People/Acre)</p> <ul style="list-style-type: none"> <li>• Applicable to nonresidential conditional land uses</li> </ul>		10	25	50	300	
Electrical Substations	—					<p>APZ I, APZ II: No new sites or land acquisition; replacement/expansion of facilities on existing sites allowed. APZ I: Major power lines must be underground.<sup>3</sup></p> <p>APZ II: New substations must not cause electronic interference with aircraft.</p> <p>See Policy 3.4.6(h)(4)</p>

**Fiscal Impact:**

ALUC functions are funded through the Airport Planning FY12 operating budget.

**Authority Strategies:**

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

Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

- A. In accordance with CEQA, the ALUC certified an EIR for the MCAS Miramar ALUCP on October 2, 2008, pursuant to Resolution No. 2008-0091 ALUC. On December 20, 2010, the ALUC approved an amendment to the MCAS Miramar ALUCP and, in accordance with CEQA, adopted an Addendum to the previously certified EIR for the MCAS Miramar ALUCP pursuant to Resolution No. 2010-0061R ALUC. For the present, proposed amendment to the ALUCP, the attached Addendum to the previously certified EIR has been prepared for ALUC consideration (Exhibit A).
- B. This ALUC action does not constitute a "development," as defined by the California Coastal Act. (Pub. Res. Code §30106)

**Equal Opportunity Program:**

Not applicable.

**Prepared by:**

KEITH WILSCHETZ  
DIRECTOR, AIRPORT PLANNING



UNITED STATES MARINE CORPS  
MARINE CORPS AIR BASES WESTERN AREA MIRAMAR  
P.O. BOX 452001  
SAN DIEGO, CA 92145-2001

11000  
December 5, 2007

San Diego County Regional Airport Authority  
Attn: Mr. Keith Wilschetz, Director, Airport Planning  
P.O. Box 82776  
San Diego, CA 92138-2776

RE: MILITARY AIRPORT SAFETY COMPATIBILITY POLICIES FOR SAN DIEGO  
COUNTY, CALIFORNIA

Dear Mr. Wilschetz,

During a previous meeting regarding the update of the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP), Airport Land Use Commission (ALUC) staff requested clarification on several Department of Navy land use policies and recommendations. This required extensive coordination with Department of Navy personnel. Their comments are provided in enclosure (1).

If we may be of any further assistance please do not hesitate to contact me at (858) 577-6603.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. L. Thornton".

C. L. THORNTON  
Community Plans and Liaison Officer  
By direction of the Commander

Encl: (1) HQMC (LFL-3) Comments

Copy to: NAVFAC SW, Sheila Donovan  
MCAS Camp Pendleton, Mike Saunders  
MCIWEST, Pat Christman

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HQMC&lt;LFL&gt;

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DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
2 NAVY ANNEX  
WASHINGTON, DC 20380-1775

IN REPLY REFER TO  
11011  
LFL-3  
DEC 05 2007

From: Commandant of the Marine Corps  
To: Commanding Officer, Marine Corps Air Station Miramar, Box  
450001 San Diego, California

Subj: MILITARY AIRPORT SAFETY COMPATIBILITY POLICIES  
FOR SAN DIEGO COUNTY, CALIFORNIA

Ref: (a) Draft San Diego County Regional Airport Authority  
(SDCRAA) Military Airport Land Use Compatibility Plan  
of 2 Oct with 26 Nov 2007 revision

(b) OPNAVINST 11010.36B

Encl: (1) HQMC comments

1. Per the request of the Marine Corps Air Station Miramar  
Community Plans and Liaison Office, reference (a) has been  
reviewed. Our review was guided by requirements defined in  
reference (b). The enclosure provides our comments.

4. Questions regarding this matter may be directed to Mr. Bruce  
Jackson, HQMC (LFL-3), at DSN 225-8240, (703) 695-8240, ext.  
3350, or email: [bruce.jackson@usmc.mil](mailto:bruce.jackson@usmc.mil).

Handwritten signature of K. G. Weirick in black ink.  
K. G. WEIRICK  
By direction

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**HQMC Code LFL-3 COMMENTS ON THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY DRAFT MILITARY AIRPORT LAND USE COMPATIBILITY PLAN OF 2 OCT 2007 WITH 26 NOV 2007 REVISION**

1. MCAS Miramar is a military high performance jet aircraft installation. As such, the civilian land uses associated with these military operations should not be compared or confused with commercial/civil airports. The military airfield Accident Potential Zones (APZ) are engineered dimensions based on historical occurrences intended to reduce the potential for harm or injury to civilians and military pilots due to unintended aircraft accidents. Air Installation Compatible Use Zone (AICUZ) recommendations provided to the public by way of MCAS Miramar AICUZ Studies delineate land uses that provide a reasonable degree of compatibility between military aircraft operations and civilian activities. These recommendations are general and may require additional controls that are specific to local conditions to meet the intent of safety and land use compatibility.

2. Encroachment is a slow and incremental occurrence, often taking years to become a noticeable problem. Accepting the first increment of encroachment facilitates subsequent increments. Preventing encroachment and protecting the public in urban areas is a challenge. MCAS Miramar is faced with this challenge, as is the SDCRAA, of preventing incompatible development in areas that subject pilots and the public to increased risks for safety, health and the enjoyment of the human environment. To this end, the specific comments provided will assist in crafting appropriate land use regulations in the MCAS Miramar/San Diego Military Airport Environs.

3. Specific comments:

a. Assembly: Facilities that support the gathering of large groups of people (more than 25 people/acre in APZ-1 and 50 people/acre in APZ-2) indoor or outdoor, should not be located in APZ's, per ref. (b).

b. Residential Density: Where clustering of dwelling units is allowed that produces open space, the open space should be sited in the APZ in lieu of the dwelling units, provided the open space is not used for non-conforming uses such as tot-lots or recreation facilities that exceed the assembly limits noted in ref. (b). Siting residential units is not recommended in APZ-1 and only in APZ-2 when limited to 1-2 DU/acre per ref. (b).

a. Power Plants within Accident Potential Zones. Power plants and other uses that include petrochemical storage or any land uses that generate smoke, heat or light and fire hazards that could interfere with safety of flight or penetrate FAA FAR Part 77 surfaces should not be permitted in APZ's.

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b. Mitigation by Construction for "Light Aircraft".

Military high performance aircraft are not considered comparable to light, non-military aircraft and public safety mitigation through construction intended for a civilian application is not appropriate for military APZ's. Hardening of structures in APZ's for the intended safety of the public increases the risk to pilots and crew in the event of an aircraft accident.

c. Solid Waste Transfer Facilities. Any land use has the potential to attract birds in the vicinity of an airfield increases the probability of an aircraft bird strike, endangering the general public as well as pilots and aircrew. Solid waste handling, transfer or disposal facilities should not be sited in APZ's. A distinction between a solid waste landfill and a solid waste transfer facility is difficult to make considering the solid waste is still the same bird and rodent attraction. Rodents attract birds of prey and food waste attracts scavengers and rodents.

*store out for use? which is it or both?*  
d. Gas Stations, Truck Terminals, Aircraft Storage and Petroleum Storage: Chemicals, petrochemicals and other flammable and hazardous products should not be manufactured, transferred or stored in APZ's where an aircraft accident could escalate to significant loss of military aircrew and civilian life and property due to the presence of flammable and hazardous products.

e. Public Emergency Services and Communications: Hospitals, medical facilities, fire stations, emergency rescue and other similar emergency facilities should not be located in APZ's. These services usually require emergency generators with flammable fuel storage; high power radio transmitters can interfere with military radio frequency; antenna towers that could pose a hazard to in-flight aircraft; and, in the event of an aircraft accident, emergency services personnel could be the victims of the accident and rendered unable to assist.

f. Wastewater Treatment Facilities: Wastewater treatment processes that utilize corrosive, toxic and hazardous chemicals, such as Chlorine Gas; produce heat, light or smoke (fog); emergency generators that include flammable fuel storage; attract rodents that attract birds of prey; should not be sited in APZ's. Additionally, the heavy construction associated with these type facilities pose an additional hazard to pilots and crew in the event of an aircraft accident. The potential for spillage of untreated wastewater into the community as a result of an aircraft accident is increased by siting this utility function in an APZ.

g. Cell Phone Towers and Wind Turbines: Towers can become hazards in APZ's regardless of height posing an increased risk to pilots and the public. Land uses that could interfere with safety of flight or penetrate FAA FAR Part 77 surfaces should not be permitted in APZ's

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**UNITED STATES MARINE CORPS**  
MARINE CORPS AIR STATION MIRAMAR  
P.O. BOX 452001  
SAN DIEGO, CA 92145-2001

CP&L  
11000/ELEC SUBSTATION  
April 7, 2011

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY  
AIRPORT LAND USE COMMISSION  
ATTN MR ROBERT H. GLEASON, CHAIR  
P.O. BOX 82776  
SAN DIEGO, CALIFORNIA 92138-2776

Re: MCAS MIRAMAR; AICUZ POLICY ON ELECTRICAL SUBSTATIONS

Dear Chairman Gleason,

We have been asked to provide clarification on the proposed siting of electrical substations within Marine Corps Air Station (MCAS) Accident Potential Zones. As a member of this community, we share your concerns on all quality of life issues and support the development of public infrastructure consistent with MCAS operations and federal policy.

The MCAS Miramar Accident Potential Zones have been identified to protect the public health and safety and are located within the primary Departure and Arrival Corridors for transiting fixed and rotary-wing airframes. It is our understanding "Electricity Regulating Substations" are compatible within these critical safety impact areas for MCAS Miramar operations.

Amendments to relevant rules and regulations affecting MCAS Miramar regarding these "Electricity Regulating Substations" would not be objectionable under the circumstances.

If we may be of any further assistance please do not hesitate to contact our office at (858)577-6603 at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "C. L. Thornton".

C. L. THORNTON

Community Plans and Liaison Officer  
By direction of the Commanding Officer

Copy to:  
UCPG  
Councilmember District One, Attn Mr. Jesse Mays

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RESOLUTION NO. 2011-0018 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, APPROVING AN AMENDMENT TO THE MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT

WHEREAS, on October 2, 2008, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for the San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, adopted an Airport Land Use Compatibility Plan (ALUCP) for Marine Corps Air Station (MCAS) Miramar; and

WHEREAS, the ALUC concurrently certified the Environmental Impact Report (EIR) (State Clearinghouse (SCH) No. 2005031148) prepared for the adopted MCAS Miramar ALUCP, which concluded that there was substantial evidence that the ALUCP would have a significant and unavoidable impact on the environment, which was deemed acceptable in light of the benefits identified in the Statement of Overriding Considerations (Resolution No. 2008-091 ALUC); and

WHEREAS, on December 20, 2010, the ALUC approved an amendment to the adopted MCAS Miramar and adopted an Addendum to the previously certified EIR for the MCAS Miramar ALUCP (Resolution No. 2010-0061R ALUC); and

WHEREAS, the ALUC is required to prepare, adopt, and amend as necessary an ALUCP for each of the airports in its jurisdiction (Public Utilities Code, §§21674, subd. (c); 21675, subd. (a)); and

WHEREAS, the ALUC finds it appropriate to amend the adopted MCAS Miramar ALUCP, as requested by ALUC staff and the operator of MCAS Miramar, so as to provide that new electrical substations within Accident Potential Zone (APZ) II are conditionally compatible as long as they do not cause electronic interference with aircraft; and

WHEREAS, the amendment to the adopted MCAS Miramar ALUCP is consistent with the primary objectives of the State Aeronautics Act (Cal. Pub. Util Code §§21001, et seq.), the Air Installations Compatibility Zones (AICUZ) study for MCAS Miramar, the California Airport Land Use Planning Handbook and does not diminish the protection provided by the previously adopted ALUCP for MCAS Miramar; and

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WHEREAS, the amendment to the adopted MCAS Miramar ALUCP ensures that the Airport Authority, acting in its capacity as the ALUC, and the affected local agencies have the most accurate technical data regarding the proposed clarification and revision before them when rendering consistency determinations and/or implementing the MCAS Miramar ALUCP; and

WHEREAS, on April 7, 2011, the ALUC received confirmation from the operator of MCAS Miramar that the proposed amendment to the MCAS Miramar ALUCP is consistent with the AICUZ; and

WHEREAS, ALUC staff has prepared and revised the affected policy to reflect the clarification, which is consistent with the Air Installations Compatible Use Zones (AICUZ) Study for MCAS Miramar; and

WHEREAS, in compliance with the requirements of the California Environmental Quality Act (CEQA; Pub. Resources Code, §§2100, et seq.), the CEQA Guidelines (Cal. Code Regs., tit. 14, §§15000 et seq.), and the Airport Authority's own CEQA Procedures, ALUC staff has evaluated the environmental effects of the proposed amendment to the adopted MCAS Miramar ALUCP; and

WHEREAS, ALUC staff has prepared an Addendum to the previously certified EIR (State Clearinghouse No. 2005031148); and

WHEREAS, the Addendum concludes the previously certified EIR, as amended by the previously adopted Addendum, addresses all impacts associated with the implementation of the proposed amendment to the adopted MCAS Miramar ALUCP; and

WHEREAS, the Addendum also concludes that any potential environmental impacts associated with the revision to the affected policy were identified within the scope of the previously certified EIR, and that the environmental effects associated with the proposed amendment are the same as or less than that identified in the previously certified EIR, as amended by the previously adopted Addendum; and

WHEREAS, the Addendum further finds that no new or substantially more severe environmental effects would result from the ALUC's decision to amend the adopted MCAS Miramar ALUCP; and

WHEREAS, the Addendum concludes that no new information has been presented regarding the adopted MCAS Miramar ALUCP's environmental effects that gives rise to any new or more severe environmental effects than were previously identified in the certified EIR; and

WHEREAS, the ALUC considered the Addendum for the proposed amendment to the adopted MCAS Miramar ALUCP, along with the previously certified EIR, as amended by the previously adopted Addendum, and the ALUC, based on its independent judgment and analysis, agrees with the conclusions reached in the Addendum.

NOW, THEREFORE, BE IT RESOLVED, that the ALUC hereby approves an amendment to the Marine Corps Air Station Miramar Airport Land Use Compatibility Plan and adopts an addendum to the previously certified Environmental Impact Report (Exhibit A); and

BE IT FURTHER RESOLVED, that the ALUC approves an amendment to the MCAS Miramar ALUCP, as previously adopted by the ALUC on October 2, 2008, and amended on December 20, 2010, so as to include a revision to affected policy regarding new electrical substations located within APZ II to be conditionally compatible as long as they do not cause electronic interference with aircraft, to be effective immediately upon certification of this Resolution; and

BE IT FUTHER RESOLVED that this ALUC action is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 3<sup>rd</sup> day of November, 2011, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL

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**ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT  
FOR THE MARINE CORPS AIR STATION MIRAMAR ALUCP  
(STATE CLEARINGHOUSE NO. 2005031148)**

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November 3, 2011

**1.0 INTRODUCTION**

This document is an Addendum to the previously certified Environmental Impact Report ("EIR") (State Clearinghouse No. 2005031148), for the Airport Land Use Compatibility Plan ("ALUCP") prepared for Marine Corps Air Station (MCAS) Miramar ("approved Project"). The EIR evaluated the environmental impacts associated with implementation of the MCAS Miramar ALUCP, and concluded that there was no substantial evidence that the approved Project would result in significant environmental impacts. On October 2, 2008, after a public hearing, the San Diego County Regional Airport Authority ("Airport Authority"), acting in its capacity as the Airport Land Use Commission ("ALUC") for the County of San Diego, certified the legal adequacy of the EIR, pursuant to the California Environmental Quality Act ("CEQA;" Pub. Resources Code, §21000 et seq.), the CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.), and the Airport Authority's CEQA Procedures. On December 20, 2010, after a public hearing, the Airport Authority, acting in its capacity as the ALUC for the County of San Diego, adopted an Addendum to the previously certified EIR for the MCAS Miramar ALUCP (Resolution No. 2010-0061R ALUC).

This Addendum examines the environmental effects of proposed minor amendment to the approved Project. The minor amendment is being made in response to comments provided by ALUC staff as well as staff at local agencies affected by the Project regarding processing issues that have been encountered since the Project was adopted by the ALUC in October 2008. The proposed amendment contemplated in this Addendum would clarify that new electrical substations within Accident Potential Zone (APZ) II are conditionally compatible as long as they do not cause electronic interference with aircraft.

As discussed in greater detail in the Addendum below, the proposed amendment to the approved Project would reduce the amount of potential displacement of future development identified in the previously certified EIR for the approved Project, such that potential displacement would be less than previously anticipated.

**2.0 PURPOSE OF AN ADDENDUM**

Under CEQA, a lead agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. (Cal. Code Regs., tit. 14, §15164, subd. (a).) Here, the proposed amendment does not trigger preparation of a subsequent EIR, thereby rendering preparation of an addendum appropriate.

Notably, when an EIR has already been certified for a project, no subsequent environmental review is required for that project unless the lead agency determines, based on substantial evidence in the record

before it, that one or more specified circumstances has occurred. (Cal. Code Regs., tit. 14, §15162, subd. (a).) Those circumstances are:

- (1) Substantial changes to the project are proposed that will require major revision of the previously adopted negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(Cal. Code Regs., tit. 14, §15162, subd. (a).)

This Addendum to the previously certified EIR for the approved Project has been prepared because ALUC staff has concluded, following an evaluation of the environmental effects of the proposed minor amendment, that the proposed amendment does not give rise to any of the circumstances requiring preparation of a subsequent EIR, as identified above. The evidence supporting ALUC staff's determination is contained in **Section 4.0, Environmental Analysis**, below.

### **3.0 BACKGROUND**

#### **3.1 DESCRIPTION OF THE APPROVED PROJECT**

The approved Project is an airport land use compatibility plan, which is inherently regulatory in nature and designed to promote compatibility between MCAS Miramar and the surrounding land uses, to the extent that these areas are not already devoted to incompatible uses. (Pub. Util. Code, §21674, subd. (a).) The MCAS Miramar ALUCP accomplishes this, in part, by regulating the future development of new residential dwellings, commercial and industrial structures, and other noise- or risk-sensitive land uses within the Airport Influence Area ("AIA"), based upon multiple factors established in the ALUCP. Accordingly, the MCAS Miramar ALUCP serves two complementary purposes: (i) the ALUCP provides for the orderly growth of the area surrounding MCAS Miramar in a manner that is compatible and

consistent with the Airport's operations; and (ii) the ALUCP safeguards the general welfare of the inhabitants within the Airport's vicinity and the public in general. (*Id.* at §21670, subd. (a)(1)-(2).)

The MCAS Miramar ALUCP contains compatibility criteria applicable to land lying within the AIA. The boundaries of the AIA, which establish the jurisdictional boundaries of the Airport Authority, acting in its capacity as the ALUC, and the ALUCP, are set, on a cumulative basis. Specifically, the AIA's geographic coverage is established by the four factors/layers of land use planning related to aeronautical activities: (i) noise; (ii) safety; (iii) airspace protection; and (iv) overflight. The ALUCP's compatibility criteria identify whether a particular land use is compatible, conditionally compatible, or incompatible with the Airport's operations based on the proximity of the land uses to the Airport and the four factors/layers. These criteria are then used by the ALUC to determine whether development projects and local plans lying within the AIA for MCAS Miramar are consistent with the ALUCP. In addition, these criteria are used by local agencies during the preparation or amendment of general plans and/or other land use plans and ordinances, and by landowners during the design of new development projects.

The previously certified EIR, as discussed above, evaluated the environmental impacts of implementation of the MCAS Miramar ALUCP. As certified by the Airport Authority on October 2, 2008, the EIR concluded that there was substantial evidence that the ALUCP would have a significant and unavoidable impact on the environment, which was deemed acceptable in light of the benefits identified in the Statement of Overriding Considerations.

### **3.2 CURRENT PROPOSED ACTION**

The specific amendment to the approved Project contemplated in this Addendum clarifies that new electrical substations within APZ II are conditionally compatible as long as they do not cause electronic interference with aircraft. The Project, when adopted in October 2008, did not allow for new electrical substations within APZ II. Policy language would be amended to allow for new electrical substations within APZ II, but only if they will not cause electronic interference with aircraft. This revision is consistent with the Air Installations Compatible Use Zones Study for MCAS Miramar.

### **4.0 ENVIRONMENTAL ANALYSIS**

As discussed further below, the proposed amendment to the approved Project would not alter the conclusions reached in the previously certified EIR, as amended by the previously adopted Addendum, regarding the potential environmental impacts associated with the approved Project; the potential impacts resulting from the approved Project, as amended, would be the same as or less than those previously identified. (The previously certified EIR, as amended by the previously adopted Addendum, is hereby incorporated by reference and is available for public inspection during regular business hours at the Airport Authority's offices, which are located at 3225 North Harbor Drive, Third Floor, Commuter Terminal, San Diego, California 92101.)

First, the proposed amendment, like the approved Project, does not propose or entail any new development, construction, or physical changes to existing land uses or the environment. Therefore, the proposed amendment would not directly impact the environment or result in any direct impacts to any of the environmental impact categories contemplated in Appendix G of the CEQA Guidelines, as identified in the previously certified EIR.

Second, while the proposed amendment may indirectly influence future land use development in the vicinity of the Airport by facilitating development in some locations and constraining development at other locations, any potential indirect effects that may arise are uncertain from a timing and location standpoint. Therefore, it is speculative to anticipate the specific characteristics of any development with which it would be associated. As discussed in the previously certified EIR, one possibility is that land uses in much of the Airport's environs would remain unchanged when compared to existing conditions. Another possibility is that implementation of the proposed amendment may indirectly result in shifting future industrial land uses to other locations designated or zoned to allow for such uses. Since such potential shifts cannot be accurately predicted, particularly as to the rate, timing, location, and extent, it is not considered reasonable to conclude that any potential shifts would be significant. Absent information to the contrary, any such shifts are reasonably considered less than significant.

Such conflicts also are considered less than significant under CEQA because state law (Gov. Code §65302.3) requires that the applicable local planning document(s) be consistent with an adopted ALUCP; and, in the event of an inconsistency, such document(s) must be amended promptly (or go through the special process required to overrule the ALUC pursuant to section 21676 of the Public Utilities Code). The ALUC finds that, by adopting the proposed amendment, any such conflicts can be avoided or substantially lessened by local agency action. The ALUC further finds that such action is within the responsibility and jurisdiction of the respective local agencies, and not the ALUC.

Importantly, the proposed amendment is *less* restrictive than the existing compatibility criteria and policies adopted on October 2, 2008. As such, the environmental analysis for the approved Project represents the worst-case scenario, such that the environmental effects of the proposed amendment are less than those previously studied and reported in the certified EIR.

## 5.0 CONCLUSION

After reviewing the previously certified EIR, ALUC staff finds that: (i) the EIR, previously certified by the Airport Authority on October 2, 2008, addresses all impacts associated with implementation of the approved Project; (ii) any potential environmental impacts associated within the proposed amendment were identified within the scope of the previously certified EIR; (iii) no new or substantially more severe environmental effects would result from the Airport Authority's decision to adopt the proposed amendment; and (iv) no new information has been presented regarding the approved Project's environmental effects that gives rise to any new or more severe environmental effects than were previously identified in the certified EIR. Therefore, the legal requirements for preparation of a subsequent EIR are inapplicable, and preparation of an addendum to the previously certified EIR is appropriate under the present circumstances.

This Addendum relies on the previously certified EIR, as amended by the previously adopted Addendum, and the related administrative record, in addition to the new documentation that has been prepared to support the Addendum.



**Adoption of an Amendment  
to the Marine Corps Air  
Station Miramar Airport  
Land Use Compatibility  
Plan and Addendum to the  
Previously Certified  
Environmental Impact  
Report**

**Angela Jamison, Manager, Airport Planning**

**November 3, 2011**



# Scope of Proposed Amendment

- Align ALUCP with AICUZ:
  - AICUZ allows new electrical substations in APZ II as long as they do not cause electronic interference with aircraft
- Affected agency input:
  - MCAS Miramar does not object to allowing use in APZs
  - Adopted City of San Diego ALUCP Implementation Plan allows use subject to ALUC approval



# Electrical Substations within APZ II

Land Use Types / Typical Uses	CBC Group*	Safety Zone**				Criteria for Conditional (yellow) Uses
		CZ	APZ I	APZ II	TZ	
<ul style="list-style-type: none"> <li>Multiple land use categories and compatibility criteria may apply to a project (see Policy 3.4.7)</li> <li>See Policy 3.4.7(c) for limits on ancillary uses<sup>1</sup></li> </ul>						<ul style="list-style-type: none"> <li>Maximum intensity limits apply to all Conditional uses</li> <li>Abbreviations below refer to zones in which condition specified is applicable</li> <li>Numbers in yellow cells are Floor Area Ratio (FAR) limitations (see Policy 3.4.6(c) and End-note 4)</li> </ul>
<p><b>Maximum Intensity Limits (People/Acre)</b></p> <ul style="list-style-type: none"> <li>Applicable to nonresidential conditional land uses</li> </ul>		10	25	50	300	
Electrical Substations	—					<p>APZ I, APZ II: No new sites or land acquisition; replacement/expansion of facilities on existing sites allowed. APZ I: Major power lines must be underground<sup>3</sup></p> <p><u>APZ II: New substations must not cause electronic interference with aircraft.</u></p> <p>See Policy 3.4.6(h)(4)</p>



# Electrical Substations within APZ II

## (4) Electrical Substations are:

- = Not compatible in the *CZ*, and should not be permitted by the *local agency*.
- = Conditionally compatible in *APZ I*, provided that major overhead power lines are placed underground. In addition, no new sites or land acquisition is allowed; however, the replacement or expansion of facilities on existing sites is allowed.
- = ~~Conditionally compatible in *APZ II*, provided that no new sites or land acquisition is allowed. However, the replacement or expansion of facilities on existing sites is allowed.~~ Conditionally compatible in *APZ II*, provided that no new sites or land acquisition is allowed there is no electronic interference with aircraft. However, the replacement or expansion of facilities on existing sites is allowed.
- = Compatible in the *TZ*.



# Recommendation

- Adopt the Amendment to the MCAS Miramar ALUCP
- Adopt the Addendum to the previously certified Environmental Impact Report for MCAS Miramar